

SESSION LAWS OF MISSOURI

Passed during the

ONE HUNDRED FIRST GENERAL ASSEMBLY

Second Regular Session, which convened at the City of Jefferson,
Wednesday, January 5, 2022, and adjourned Monday, May 30, 2022, and
First Extraordinary Session, which convened at the City of Jefferson,
Tuesday, September 6, 2022, and adjourned Tuesday, October 4, 2022.

Veto Session which convened Wednesday, September 14, 2022
and adjourned Wednesday, September 21, 2022.



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HOW TO USE THE SESSION LAWS

The first pages contain the *Table of Sections Affected by 2022 Legislation* from the Second Regular Session of the 101st General Assembly, followed by the First Extraordinary Session (2022) of the 101st General Assembly.

The text of all 2022 House and Senate Bills and the Concurrent Resolutions from the Second Regular Session appears next. The appropriation bills are presented first, with all others following in numerical order.

After the text from the Second Regular Session, the text of House Bill 3 and Senate Bills 3 & 5 from the First Extraordinary Session (2022) of the 101st General Assembly follows.

Visit the Revisor of Statutes website at revisor.mo.gov.

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AUTHORITY FOR PUBLISHING SESSION LAWS AND RESOLUTIONS

2.030. Revised Statutes of Missouri, 2016. — Legislative research, printing and binding of laws. — The joint committee on legislative research shall annually collate and index, and may print and bind and/or produce in a web-based electronic format all laws and resolutions passed or adopted by the general assembly and all measures approved by the people since the last publication of the session laws. Any edition of the session laws published pursuant to this section is a part of the official laws and resolutions of the general assembly at which the laws and resolutions were passed.

2.040. Revised Statutes of Missouri, 2016. — Duties of legislative research in printing and binding. — The joint committee on legislative research shall provide copies of all laws, measures and resolutions duly enacted by the general assembly and all amendments to the constitution and all measures approved by the people since the last publication of the session laws pursuant to section 2.030, giving the date of the approval or adoption thereof. The joint committee on legislative research shall headnote, collate, index the laws, resolutions and constitutional amendments, and compare the proof sheets of the printed copies with the original rolls. The revisor of statutes shall insert therein an attestation under the revisor's hand that the revisor has compared the laws, resolutions, constitutional amendments and measures therein contained with the original rolls and copies in the office of the secretary of state and that the same are true copies of such laws, measures, resolutions and constitutional amendments as the same appear in the original rolls in the office of the secretary of state. The joint committee on legislative research shall cause the completed laws, resolutions and constitutional amendments to be printed and bound.

<p>The Joint Committee on Legislative Research is pleased to state that the 2022 Session Laws of Missouri is printed with soy-based ink.</p>
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ATTESTATION

STATE OF MISSOURI)
) ss.
City of Jefferson)

I, Sandy Lueckenhoff, Assistant Revisor of Statutes, hereby certify that I have collated carefully the laws and resolutions passed by the One Hundred First General Assembly of the State of Missouri, convened in second regular session (2022) and first extraordinary session (2022), as they are contained in the following pages, and have compared them with the original rolls and have corrected them thereby. Headnotes are used for the convenience of the reader and are not part of the laws they precede.

IN TESTIMONY WHEREOF, I have hereunto set my hand at my office in the City of Jefferson this twenty-sixth day of October A.D. two thousand twenty-two.

SANDY LUECKENHOFF
ASSISTANT REVISOR OF STATUTES

EFFECTIVE DATE OF LAWS

All laws having emergency clauses (and appropriation bills) become effective upon signature by the governor. Bills having a specific effective date contained in the text of the act become effective on that date. This date is shown immediately following the section. All other laws become effective in accordance with the provisions of the Constitution of Missouri.

Section 29, Article III of the Constitution provides:

“No law passed by the general assembly, except an appropriation act, shall take effect until ninety days after the adjournment of the session in either odd-numbered or even-numbered years at which it was enacted. However, in case of an emergency, which must be expressed in the preamble or in the body of the act, the general assembly by a two-thirds vote of the members elected to each house, taken by yeas and nays may otherwise direct; and further except that, if the general assembly recesses for thirty days or more it may prescribe by joint resolution that laws previously passed and not effective shall take effect ninety days from the beginning of the recess.”

Pursuant to Section 20(a), Article III, Constitution of Missouri, as amended in 1988, the regular session of the general assembly ends on May 30th and laws passed at that session become effective August 28th of that year.

Section 21.250, which provides for the effective date of bills reconsidered after the governor’s veto, was amended by the General Assembly in 2003 to add the following language:

“Unless the bill provides otherwise, it shall become effective thirty days after approval by constitutional majorities in both houses of the general assembly.”.

The One Hundredth First General Assembly, Second Regular Session, convened Wednesday, January 5, 2022, and adjourned Monday, May 30, 2022. All laws passed by it (other than appropriation acts, those having emergency clauses or different effective dates) became effective ninety days thereafter on August 28, 2022.

The One Hundredth First General Assembly, First Extraordinary Session, convened Tuesday, September 6, 2022, and adjourned Tuesday, October 4, 2022. House Bill 3 and Senate Bill. 3 & 5 passed by it became effective January 2, 2023.

JOINT RESOLUTIONS AND INITIATIVE PETITIONS

Section 2(b), Article XII of the Constitution provides:

“All amendments proposed by the general assembly or by the initiative shall be submitted to the electors for their approval or rejection by official ballot title as may be provided by law, on a separate ballot without party designation, at the next general election, or at a special election called by the governor prior thereto, at which he may submit any of the amendments. No such proposed amendment shall contain more than one amended and revised article of this constitution, or one new article which shall not contain more than one subject and matters properly connected therewith. If possible, each proposed amendment shall be published once a week for two consecutive weeks in two newspapers of different political faith in each county, the last publication to be not more than thirty nor less than fifteen days next preceding the election. If there be but one newspaper in any county, publication for four consecutive weeks shall be made. If a majority of the votes cast thereon is in favor of any amendment, the same shall take effect at the end of thirty days after the election. More than one amendment at the same election shall be so submitted as to enable the electors to vote on each amendment separately.”

The One Hundredth First General Assembly, Second Regular Session (2022), passed two Joint Resolutions. Resolutions are to be published as provided in Section 116.340, RSMo 2016, which reads:

“116.340. Publication of approved measures. — When a statewide ballot measure is approved by the voters, the secretary of state* shall publish it with the laws enacted by the following session of the general assembly, and the revisor of statutes shall include it in the next edition or supplement of the revised statutes of Missouri. Each of the measures printed above shall include the date of the proclamation or statement of approval under section 116.330.”

*The publication of session laws was delegated to the Joint Committee on Legislative Research in 1997 by Senate Bill 459, section 2.040.

The headnotes used to describe sections printed in this volume may not be identical with the headnotes which appear in the 2022 Revised Statutes of Missouri. Every attempt has been made to develop headnotes which adequately describe the textual material contained in the section.

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**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
1.016	New	SB 775	9.288	New	HB 2627
1.513	New	SB 820	9.289	New	HB 1738
8.055	New	SB 820	9.289	New	HB 2627
8.250	Amended	SB 758	9.307	New	HB 1738
8.260	Amended	SB 758	9.308	New	HB 1738
8.420	Amended	SB 758	9.315	Vetoed	HB 1720
8.475	New	SB 820	9.315	New	HB 2627
8.690	New	SB 758	9.317	New	HB 1738
8.960	Transfer To	SB 758	9.339	Amended	HB 1738
8.962	Transfer To	SB 758	9.340	New	HB 2627
8.964	Transfer To	SB 758	9.343	New	HB 1738
8.966	Transfer To	SB 758	9.344	New	HB 1738
8.968	Transfer To	SB 758	9.345	New	HB 1738
8.970	Transfer To	SB 758	9.346	New	HB 1738
8.972	Transfer To	SB 758	9.347	New	HB 1738
8.974	Transfer To	SB 758	9.348	New	HB 1738
9.010	Amended	HB 1738	9.349	New	HB 1738
9.142	New	HB 1738,	9.350	New	HB 1738
9.142	New	HB 2627	9.350	New	SB 710
9.170	New	HB 1738	9.351	New	HB 1738
9.170	New	HB 2627	9.352	New	HB 1738
9.170	New	SB 718	9.353	New	HB 2627
9.235	New	HB 1738	9.356	New	HB 2627
9.236	New	HB 1738	9.357	New	HB 1738
9.236	New	HB 2627	9.362	New	HB 1738
9.236	New	SB 710	9.366	New	HB 1738
9.275	New	HB 1738	9.366	New	HB 2627
9.280	New	HB 1738	10.095	Amended	HB 1738
9.288	New	HB 1738	10.245	New	HB 1738

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
21.155	Amended	HB 1600	36.440	Vetoed	HB 2090
21.915	Vetoed	HB 1720	36.510	Vetoed	HB 2090
21.915	New	SB 672	37.010	Vetoed	HB 2090
28.960	New	HB 1878	44.032	Amended	SB 745
33.100	Vetoed	HB 2090	44.032	Amended	SB 820
34.055	Amended	SB 758	50.327	Amended	HB 1606
34.057	Transfer From	SB 758	50.800	Repealed	HB 1606
34.058	Transfer From	SB 758	50.800	Vetoed	SB 724
34.100	Amended	SB 758	50.810	Repealed	HB 1606
34.203	Transfer From	SB 758	50.810	Vetoed	SB 724
34.206	Transfer From	SB 758	50.815	Amended	HB 1606
34.209	Transfer From	SB 758	50.815	Vetoed	SB 724
34.212	Transfer From	SB 758	50.820	Amended	HB 1606
34.217	Transfer From	SB 758	50.820	Vetoed	SB 724
34.218	Transfer From	SB 758	55.160	Amended	HB 1606
36.020	Vetoed	HB 2090	57.317	Amended	HB 1606
36.030	Vetoed	HB 2090	58.095	Amended	HB 1606
36.050	Vetoed	HB 2090	58.200	Amended	HB 1606
36.060	Vetoed	HB 2090	59.310	Amended	HB 1606
36.070	Vetoed	HB 2090	59.310	Amended	HB 1662
36.080	Vetoed	HB 2090	60.301	Vetoed	HB 1720
36.090	Vetoed	HB 2090	60.315	Vetoed	HB 1720
36.100	Vetoed	HB 2090	60.345	Vetoed	HB 1720
36.120	Vetoed	HB 2090	64.008	New	HB 1662
36.140	Vetoed	HB 2090	65.710	New	HB 1662
36.250	Vetoed	HB 2090	67.457	Amended	HB 1606
			67.461	Amended	HB 1606
			67.1421	Amended	HB 1606
			67.1431	Amended	HB 1606

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
67.1471	Amended	HB 1606	92.825	Amended	HB 1662
67.2300	New	HB 1606	92.835	Amended	HB 1606
67.5065	New	SB 758	92.835	Amended	HB 1662
70.631	Amended	HB 1606	92.840	Amended	HB 1606
70.631	Amended	SB 655	92.840	Amended	HB 1662
71.990	New	HB 1662	92.852	Amended	HB 1606
84.730	Amended	SB 678	92.852	Amended	HB 1662
89.500	New	HB 1662	92.855	Amended	HB 1606
92.720	Amended	HB 1606	92.855	Amended	HB 1662
92.720	Amended	HB 1662	99.825	Amended	HB 1606
92.740	Amended	HB 1606	99.830	Amended	HB 1606
92.740	Amended	HB 1662	99.865	Amended	HB 1606
92.750	Amended	HB 1606	105.145	Amended	HB 1606
92.750	Amended	HB 1662	105.145	Vetoed	SB 724
92.760	Amended	HB 1606	105.950	Vetoed	HB 2090
92.760	Amended	HB 1662	105.1114	Vetoed	HB 2090
92.765	Amended	HB 1606	105.1500	New	HB 2400
92.765	Amended	HB 1662	115.004	New	HB 1878
92.770	Amended	HB 1606	115.013	Amended	HB 1878
92.770	Amended	HB 1662	115.022	New	HB 1878
92.775	Amended	HB 1606	115.045	Amended	HB 1878
92.775	Amended	HB 1662	115.051	Amended	HB 1878
92.810	Amended	HB 1606	115.081	Amended	HB 1878
92.810	Amended	HB 1662	115.085	Amended	HB 1878
92.815	Amended	HB 1606	115.105	Amended	HB 1878
92.815	Amended	HB 1662	115.123	Amended	HB 1878
92.817	New	HB 1606	115.135	Amended	HB 1878
92.817	New	HB 1662	115.151	Amended	HB 1878
92.825	Amended	HB 1606	115.155	Amended	HB 1878

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
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SECTION	ACTION	BILL	SECTION	ACTION	BILL
115.157	Amended	HB 1878	115.765	Repealed	HB 1878
115.160	Amended	HB 1878	115.767	Repealed	HB 1878
115.163	Amended	HB 1878	115.770	Repealed	HB 1878
115.165	Amended	HB 1878	115.773	Repealed	HB 1878
115.168	New	HB 1878	115.776	Amended	HB 1878
115.205	Amended	HB 1878	115.785	Repealed	HB 1878
115.225	Amended	HB 1878	115.902	Amended	HB 1878
115.237	Amended	HB 1878	115.904	Amended	HB 1878
115.257	Amended	HB 1878	115.960	Amended	HB 1878
115.275	Amended	HB 1878	128.345	Amended	HB 2909
115.277	Amended	HB 1878	128.346	Amended	HB 2909
115.279	Amended	HB 1878	128.348	Amended	HB 2909
115.283	Amended	HB 1878	128.461	New	HB 2909
115.285	Amended	HB 1878	128.462	New	HB 2909
115.286	New	HB 1878	128.463	New	HB 2909
115.287	Amended	HB 1878	128.464	New	HB 2909
115.291	Amended	HB 1878	128.465	New	HB 2909
115.302	Amended	HB 1878	128.466	New	HB 2909
115.349	Amended	HB 1878	128.467	New	HB 2909
115.351	Amended	HB 1878	128.468	New	HB 2909
115.417	Amended	HB 1878	128.469	New	HB 2909
115.427	Amended	HB 1878	130.029	Amended	HB 2400
115.435	Amended	HB 1878	135.110	Amended	HB 2400
115.447	Amended	HB 1878	135.155	Amended	HB 2400
115.628	New	HB 1878	135.305	Vetoed	HB 1720
115.652	Amended	HB 1878	135.686	Vetoed	HB 1720
115.755	Repealed	HB 1878	135.690	New	HB 2331
115.758	Repealed	HB 1878	135.690	New	SB 718
115.761	Repealed	HB 1878	135.755	Vetoed	HB 1720

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
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SECTION	ACTION	BILL	SECTION	ACTION	BILL
135.775	Vetoed	HB 1720	160.545	Amended	SB 718
135.778	Vetoed	HB 1720	160.560	New	SB 681
135.800	Amended	HB 2400	160.2700	Amended	SB 681
135.802	Amended	HB 2400	160.2705	Amended	SB 681
135.805	Amended	HB 2400	161.097	Amended	SB 681
135.810	Amended	HB 2400	161.214	New	SB 681
135.815	Amended	HB 2400	161.217	Amended	HB 2365
135.825	Amended	HB 2400	161.241	New	SB 681
135.1610	Vetoed	HB 1720	161.380	New	SB 681
136.370	Vetoed	HB 2090	161.385	New	SB 681
137.1018	Vetoed	HB 1720	161.670	Amended	HB 1552
140.170	Amended	HB 1606	161.700	Amended	SB 681
140.190	Amended	HB 1606	162.058	New	SB 681
143.081	Amended	HB 2400	162.084	New	SB 681
143.119	Amended	HB 2400	162.261	Amended	SB 681
143.436	New	HB 2400	162.281	Amended	SB 681
144.010	Amended	HB 2400	162.291	Amended	SB 681
144.010	Amended	SB 745	162.471	Amended	SB 681
144.011	Amended	HB 2400	162.481	Amended	SB 681
144.011	Amended	SB 745	162.491	Amended	SB 681
144.030	Vetoed	HB 1720	162.563	New	SB 681
144.030	Amended	SB 745	162.720	Amended	SB 681
144.030	Amended	SB 820	162.974	Amended	SB 681
144.051	New	HB 1606	162.1255	New	SB 681
144.051	New	SB 652	163.016	Amended	SB 681
160.077	New	SB 681	164.450	Vetoed	SB 724
160.261	Amended	SB 681	167.151	Amended	SB 681
160.415	Amended	HB 1552	167.225	Amended	SB 681
160.425	Amended	HB 1552	167.268	Amended	SB 681

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
167.625	New	SB 681	173.1352	New	SB 718
167.625	New	SB 710	173.2500	Amended	SB 718
167.630	Amended	SB 710	173.2505	Amended	SB 718
167.640	Amended	SB 681	173.2553	Amended	SB 672
167.645	Amended	SB 681	173.2554	Repealed	SB 672
167.850	New	SB 681	178.694	New	SB 681
167.908	New	SB 718	186.080	New	SB 681
168.021	Amended	SB 681	190.053	Amended	SB 725
168.036	New	SB 681	190.100	Amended	HB 2331
168.037	New	SB 681	190.101	Amended	HB 2331
168.205	Amended	SB 681	190.103	Amended	HB 2331
168.500	Amended	SB 681	190.176	Amended	HB 2331
168.515	Amended	SB 681	190.200	Amended	HB 2331
170.014	Amended	SB 681	190.241	Amended	HB 2331
170.018	Amended	SB 681	190.243	Amended	HB 2331
170.018	Amended	SB 718	190.245	Amended	HB 2331
170.036	New	SB 681	190.257	New	HB 2331
170.036	New	SB 718	190.800	Amended	SB 725
170.047	Amended	SB 681	190.803	Amended	SB 725
170.048	Amended	SB 681	190.806	Amended	SB 725
170.307	New	SB 681	190.815	Amended	SB 725
171.033	Amended	SB 681	191.116	Amended	HB 2331
172.800	Amended	HB 2331	191.116	Amended	SB 710
172.800	Amended	SB 710	191.500	Amended	HB 2331
173.280	Amended	SB 718	191.500	Amended	SB 710
173.831	New	SB 681	191.515	Amended	HB 2331
173.831	New	SB 718	191.515	Amended	SB 710
173.1200	Amended	SB 718	191.520	Amended	HB 2331
173.1352	New	SB 681	191.520	Amended	SB 710

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
191.525	Amended	HB 2331	194.321	New	SB 710
191.525	Amended	SB 710	195.206	Amended	HB 2162
191.743	Repealed	HB 2331	195.206	Amended	HB 2331
191.743	Repealed	SB 710	195.815	Amended	HB 2331
191.1400	New	HB 2116	196.298	Amended	HB 1697
191.1400	New	SB 710	196.866	Repealed	HB 2331
191.2290	New	HB 2116	196.866	Repealed	SB 710
191.2290	New	SB 710	196.868	Repealed	HB 2331
192.005	Amended	HB 2331	196.868	Repealed	SB 710
192.005	Amended	SB 710	196.1050	Amended	HB 2162
192.2225	Amended	HB 2331	196.1170	Vetoed	HB 1667
192.2225	Amended	SB 710	197.100	Amended	HB 2331
194.210	Amended	HB 2331	197.100	Amended	SB 710
194.210	Amended	SB 710	197.256	Amended	SB 710
194.255	Amended	HB 2331	197.258	Amended	HB 2331
194.255	Amended	SB 710	197.258	Amended	SB 710
194.265	Amended	HB 2331	197.400	Amended	HB 2149
194.265	Amended	SB 710	197.400	Amended	HB 2331
194.285	Amended	HB 2331	197.400	Amended	SB 710
194.285	Amended	SB 710	197.415	Amended	HB 2331
194.290	Amended	HB 2331	197.415	Amended	SB 710
194.290	Amended	SB 710	197.445	Amended	HB 2149
194.297	Amended	HB 2331	197.445	Amended	HB 2331
194.297	Amended	SB 710	197.445	Amended	SB 710
194.299	Amended	HB 2331	198.006	Amended	HB 2331
194.299	Amended	SB 710	198.006	Amended	SB 710
194.304	Amended	HB 2331	198.022	Amended	HB 2331
194.304	Amended	SB 710	198.022	Amended	SB 710
194.321	New	HB 2331	198.026	Amended	HB 2331

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
198.026	Amended	SB 710	210.223	Amended	SB 683
198.036	Amended	HB 2331	210.231	Amended	SB 683
198.036	Amended	SB 710	210.241	Amended	SB 683
198.525	Amended	HB 2331	210.245	Amended	SB 683
198.525	Amended	SB 710	210.251	Amended	SB 683
198.526	Amended	HB 2331	210.252	Amended	SB 683
198.526	Amended	SB 710	210.254	Amended	SB 683
198.545	Amended	HB 2331	210.255	Amended	SB 683
198.545	Amended	SB 710	210.256	Amended	SB 683
198.640	New	SB 710	210.258	Amended	SB 683
198.642	New	SB 710	210.275	Amended	SB 683
198.644	New	SB 710	210.278	Amended	SB 683
198.646	New	SB 710	210.305	Amended	SB 683
198.648	New	SB 710	210.565	Amended	SB 683
208.044	Amended	SB 683	210.921	Amended	SB 710
208.046	Amended	SB 683	210.1007	Amended	SB 683
208.053	Amended	SB 683	210.1080	Amended	SB 683
208.184	New	SB 710	210.1500	New	SB 775
208.798	Amended	HB 2400	210.1505	New	SB 775
208.798	Amended	SB 710	211.031	Amended	SB 775
208.909	Amended	SB 710	214.160	Amended	SB 886
210.027	Amended	SB 683	217.703	Amended	SB 775
210.102	Amended	SB 683	217.940	New	SB 683
210.127	Amended	SB 683	217.941	New	SB 683
210.199	Repealed	SB 683	217.942	New	SB 683
210.201	Amended	SB 683	217.943	New	SB 683
210.203	Amended	SB 683	217.944	New	SB 683
210.211	Amended	SB 683	217.945	New	SB 683
210.221	Amended	SB 683	217.946	New	SB 683

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
217.947	New	SB 683	260.221	Vetoed	HB 1720
227.475	New	HB 1738	260.221	New	HB 2485
227.774	New	HB 1738	260.295	New	HB 16062
227.775	New	HB 1738	260.295	New	HB 1662
227.775	New	HB 2627	260.373	Amended	HB 2485
227.785	Amended	HB 1738	260.437	Amended	HB 2485
227.787	Amended	HB 1738	260.520	Amended	HB 2485
227.787	Amended	HB 2627	266.355	Vetoed	HB 1720
227.796	New	HB 1738	275.357	Vetoed	HB 1720
227.807	New	HB 1738	285.730	Amended	HB 2400
227.807	New	HB 2627	288.132	Amended	HB 2168
227.808	New	HB 1738	288.133	New	HB 2168
227.809	New	HB 1738	288.220	Vetoed	HB 2090
227.809	New	HB 2627	301.010	Vetoed	HB 1720
227.810	New	HB 1738	301.020	Amended	HB 2331
227.811	New	HB 1738	301.020	Amended	SB 710
227.812	New	HB 1738	301.062	Vetoed	HB 1720
227.813	New	HB 1738	301.566	Amended	HB 2416
227.814	New	HB 1738	302.010	Amended	SB 681
227.815	New	HB 1738	302.171	Amended	HB 2331
227.816	New	HB 1738	302.171	Amended	SB 710
227.816	New	HB 2627	303.025	Amended	HB 2168
227.817	New	HB 1738	303.041	Amended	HB 2168
238.212	Amended	HB 1606	304.022	Amended	HB 1606
238.222	Amended	HB 1606	304.060	Amended	SB 681
251.070	Repealed	HB 2331	304.180	Vetoed	HB 1720
251.070	Repealed	SB 710	304.240	Vetoed	HB 1720
260.200	Amended	HB 2485	311.028	New	HB 1738
260.205	Amended	HB 2485	313.800	Amended	HB 2400

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
313.800	Amended	SB 987	376.427	Amended	SB 710
313.805	Amended	HB 2400	376.1575	Amended	SB 710
313.805	Amended	SB 987	376.1800	Amended	HB 2168
319.129	Amended	HB 2168	379.011	Amended	HB 2168
324.005	New	HB 2149	386.266	Amended	SB 745
327.312	Amended	HB 2149	386.885	New	SB 745
327.313	Amended	HB 2149	386.885	New	SB 820
327.314	Amended	HB 2149	386.890	Amended	SB 745
327.331	Amended	HB 2149	386.890	Amended	SB 820
332.325	New	HB 2149	393.1072	New	SB 745
334.100	Amended	HB 2149	393.1275	New	SB 745
334.530	Amended	HB 2149	393.1400	Amended	SB 745
334.655	Amended	HB 2149	393.1640	Amended	SB 745
335.230	Amended	HB 2331	393.1655	Amended	SB 745
335.230	Amended	SB 710	393.1656	New	SB 745
335.257	Amended	HB 2331	393.1715	Amended	SB 745
335.257	Amended	SB 710	407.475	New	HB 2400
338.055	Amended	HB 2149	419.020	Amended	HB 1725
345.015	Amended	HB 2149	419.040	Amended	HB 1725
345.022	New	HB 2149	442.130	Amended	HB 1606
345.050	Amended	HB 2149	442.130	Amended	HB 1662
345.052	New	HB 2149	442.403	Amended	HB 1662
345.085	New	HB 2149	442.404	Amended	HB 1662
348.436	Vetoed	HB 1720	442.404	Amended	SB 745
348.491	Vetoed	HB 1720	442.404	Amended	SB 820
348.493	Vetoed	HB 1720	455.073	Amended	SB 775
348.500	Vetoed	HB 1720	455.075	Amended	SB 775
375.159	Amended	HB 2168	455.085	Amended	SB 775
376.380	Amended	HB 2168	456.026	New	SB 886

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
456.1-114	New	SB 886	567.020	Amended	SB 775
456.4-419	Amended	SB 886	573.010	Amended	SB 775
456.5-504	Amended	SB 886	573.024	New	SB 775
456.5-505	Amended	SB 886	573.206	New	SB 775
473.742	Amended	HB 1606	573.550	New	SB 775
478.600	Amended	SB 775	574.105	Amended	HB 1472
491.015	Amended	SB 775	575.200	Amended	SB 799
513.430	Amended	SB 718	589.404	Amended	SB 775
523.010	Amended	HB 2005	595.201	Amended	SB 775
523.010	Amended	SB 820	595.226	Amended	SB 775
523.025	New	HB 2005	595.320	New	SB 775
523.025	New	SB 820	610.021	Amended	SB 745
523.039	Amended	HB 2005	610.021	Amended	SB 820
523.039	Amended	SB 820	620.515	Amended	HB 2400
523.040	Amended	HB 2005	620.800	Amended	HB 2400
523.040	Amended	SB 820	620.803	Amended	HB 2400
523.061	Amended	HB 1606	620.806	Amended	HB 2400
523.256	Amended	HB 2005	620.809	Amended	HB 2400
523.256	Amended	SB 820	620.850	New	HB 2400
546.262	New	SB 775	620.1039	Amended	HB 2400
546.263	New	SB 775	620.1620	Amended	HB 2400
556.046	Amended	SB 775	620.2020	Amended	HB 2400
559.036	Amended	SB 775	620.2250	New	SB 672
559.115	Amended	SB 775	620.2450	Amended	SB 820
566.010	Amended	SB 775	620.2451	Amended	SB 820
566.086	Amended	SB 775	620.2453	Amended	SB 820
566.149	Amended	SB 775	620.2465	New	SB 820
566.150	Amended	SB 775	620.2468	New	SB 820
566.155	Amended	SB 775	630.202	New	HB 2116

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, SECOND REGULAR SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
630.202	New	SB 710	Section 4	New	HB 1738
632.305	Amended	SB 775	Section 4	New	HB 2627
640.095	New	HB 2485	Section 5	New	HB 1606
643.050	Vetoed	HB 1720	Section 5	New	HB 1738
643.079	Vetoed	HB 1720	Section 6	New	HB 1606
643.245	Vetoed	HB 1720	Section 6	New	HB 1738
644.060	Vetoed	HB 1720	Section 7	New	HB 1738
644.060	New	HB 2485	Section 8	New	HB 1738
660.010	Amended	HB 2331	Section 9	New	HB 1738
660.010	Amended	SB 710	Section 10	New	HB 1738
Section 1	New	HB 1606	Section 11	New	HB 1738
Section 1	New	HB 1738	Section 12	New	HB 1738
Section 1	New	HB 1878	Section B	New	HB 1606
Section 1	Vetoed	HB 2090	Section B	New	HB 1662
Section 1	New	HB 2627	Section B	Vetoed	HB 1720
Section 1	New	SB 710	Section B	New	HB 2149
Section 2	New	HB 1606	Section B	New	HB 2168
Section 2	New	HB 1738	Section B	New	HB 2909
Section 2	New	HB 1878	Section B	New	SB 681
Section 2	Vetoed	HB 2090	Section B	New	SB 683
Section 2	New	HB 2627	Section B	New	SB 710
Section 3	New	HB 1606	Section B	New	SB 745
Section 3	New	HB 1738	Section B	New	SB 820
Section 3	New	HB 1878	Section C	New	HB 2168
Section 3	New	HB 2627	Section C	New	HB 2168
Section 4	New	HB 1606			

The classifications of generic sections appear in the Disposition of Sections table published in the Revised Statutes of Missouri and the annual supplements.

**TABLE OF SECTIONS AFFECTED BY 2022 LEGISLATION,
101ST GENERAL ASSEMBLY, FIRST EXTRAORDINARY SESSION**

SECTION	ACTION	BILL	SECTION	ACTION	BILL
60.301	Amended	HB 3	275.357	New	HB 3
60.315	Amended	HB 3	301.010	Amended	HB 3
60.345	Amended	HB 3	301.062	Amended	HB 3
135.305	Amended	HB 3	304.180	Amended	HB 3
135.686	Amended	HB 3	304.240	Amended	HB 3
135.755	New	HB 3	348.436	Amended	HB 3
135.775	New	HB 3	348.491	New	HB 3
135.778	New	HB 3	348.493	New	HB 3
135.1610	New	HB 3	348.500	Amended	HB 3
137.1018	Amended	HB 3	643.050	Amended	HB 3
143.011	Amended	SB 3	643.079	Amended	HB 3
143.021	Amended	SB 3	643.245	Amended	HB 3
144.030	Amended	HB 3	Section B	New	SB 3
266.355	Repealed	HB 3			

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HCS HB 3001

Appropriates money to the Board of Fund Commissioners

AN ACT to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28, of the Constitution of Missouri, for the purpose of funding each department, division, agency, and program described herein for the item or items stated, and for no other purpose whatsoever chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023 as follows:

SECTION 1.005. — To the Board of Fund Commissioners
For annual fees, arbitrage rebate, refunding, defeasance, and related expenses
From General Revenue Fund (0101) \$10,000

SECTION 1.010. — To the Board of Fund Commissioners
For payment of interest and sinking fund requirements on fourth state building
bonds currently outstanding as provided by law
From Fourth State Building Bond and Interest Fund (Various) \$1,060,875

SECTION 1.015. — To the Board of Fund Commissioners
For payment of issuance costs, interest, and sinking fund requirements on water
pollution control bonds currently outstanding as provided by law
From Water Pollution Control Bond and Interest Fund (Various) \$9,553,000

SECTION 1.020. — To the Board of Fund Commissioners
For payment of issuance costs, interest, and sinking fund requirements on
stormwater control bonds currently outstanding as provided by law
From Stormwater Control Bond and Interest Fund (Various) \$1,778,375

Bill Totals
General Revenue Fund..... \$10,000

Approved June 30, 2022

CCS SS SCS HCS HB 3002

Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023 as follows:

PART 1

SECTION 2.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act consists of guidance for implementing the appropriations found in Part 1 and Part 2 of this act and contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal periods as a new decision item.

SECTION 2.005. — To the Department of Elementary and Secondary Education For the Division of Financial and Administrative Services, provided three percent (3%) flexibility is allowed from this section to Section 2.500

Personal Service.....	\$2,154,386
Expense and Equipment.....	133,363
From General Revenue Fund (0101)	2,287,749
Personal Service.....	2,187,872
Expense and Equipment.....	695,893
From Elementary and Secondary Education - Federal Fund (0105).....	2,883,765
Total (Not to exceed 76.00 F.T.E.)	\$5,171,514

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 2.010. — To the Department of Elementary and Secondary Education

For refunds

From Elementary and Secondary Education - Federal Fund (0105).....	\$50,000
From Vocational Rehabilitation Fund (0104)	<u>20,000</u>
Total.....	\$70,000

SECTION 2.015. — To the Department of Elementary and Secondary Education

For distributions to the free public schools of \$3,977,684,927 under the School Foundation Program as provided in Chapter 163, RSMo, provided that no funds are used to support the distribution or sharing of any individually identifiable student data for non-educational purposes, marketing or advertising, as follows:

For the Foundation Formula, provided that the State Adequacy Target pursuant to Section 163.011 RSMo shall not exceed \$6,375.....	\$3,561,737,794
For Transportation	328,411,105
For Vocational Education, provided that no funds are used for advertising.....	50,069,028
For Career Ladder	37,467,000
From General Revenue Fund (0101)	2,425,241,984
From Outstanding Schools Trust Fund (0287).....	836,649,474
From State School Moneys Fund (0616).....	187,315,958
From Lottery Proceeds Fund (0291).....	179,472,139
From Classroom Trust Fund (0784)	349,005,372

For the Small Schools Program

From General Revenue Fund (0101)	15,000,000
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For State Board of Education operated school programs, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 2.500

Personal Service.....	30,310,511
Expense and Equipment.....	<u>18,169,800</u>
From General Revenue Fund (0101)	48,480,311

Personal Service.....	819,481
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Expense and Equipment.....	<u>7,010,012</u>
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From Elementary and Secondary Education - Federal Fund (0105).....	7,829,493
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Expense and Equipment

From Bingo Proceeds for Education Fund (0289).....	<u>1,876,355</u>
Total (Not to exceed 667.92 F.T.E.)	\$4,050,871,086

SECTION 2.020. — To the Department of Elementary and Secondary Education

To provide a baseline educator salary of \$38,000; provided that salary costs are shared at a ratio of seventy percent state and thirty percent local

From General Revenue Fund (0101)	\$21,793,144
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

***SECTION 2.025.** — To the Department of Elementary and Secondary Education

For distributions to the free public schools under the Coronavirus Aid, Relief, and Economic Security Act, provided that local educational agencies that adopt, in response to COVID-19, a distanced or blended onsite and distanced pattern of instruction constituting less than forty-five percent (45%) of annual attendance hours taking place in person, shall have their designated total allocation under this section reduced by ten percent (10%)

From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....\$16,030,857

For distributions to the free public schools under the Coronavirus Response and Relief Supplemental Appropriations Act, provided that local educational agencies that adopt, in response to COVID-19, a distanced or blended onsite and distanced pattern of instruction constituting less than forty-five percent (45%) of annual attendance hours taking place in person, shall have their designated total allocation under this section reduced by ten percent (10%)

From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....443,063,444

For distributions to the free public schools under the American Rescue Plan Act and administration of the program, provided that local educational agencies that adopt, in response to COVID-19, a distanced or blended onsite and distanced pattern of instruction constituting less than forty-five percent (45%) of annual attendance hours taking place in person, shall have their designated total allocation under this section reduced by ten percent (10%)

From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)1,775,249,659

For the School Turnaround Program pursuant to Section 161.1105, RSMo

From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)4,875,000

For a chemistry and physical science 3D game-based learning platform for middle school and high school students that connects the standards to real world technologies and applications and highlights STEM and CTE career pathways in Missouri to increase students' interest in pursuing a chemistry related career; the Department of Elementary and Secondary Education shall administer a statewide pilot program made available to school districts to promote access to innovative digital and personalized learning solutions for high school and middle school students that bridges the gap between chemistry and physical science classes and career and technical education (CTE) career pathways; the local school administrative units shall incorporate the science, technology, engineering, and mathematics (STEM) focused 3D game-based learning platform educational software program in select STEM classes and their CTE programs to encourage student interest

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and workforce development for chemistry-dependent industries located in Missouri, including careers in the pharmaceutical, agricultural technology, biotechnology, textile, material science, energy, minerals and mining, and chemical manufacturing fields	
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	2,000,000
For distributions to the Department of Elementary and Secondary Education under the American Rescue Plan Act	
Personal Service.....	725,841
Expense and Equipment, provided twenty-five percent (25%) flexibility is allowed between programs in this subsection	
For teacher and leader training	1,224,000
For a teacher recruitment and retention grant program	19,957,126
For the Missouri Read, Lead, Exceed Program	26,991,925
For the Missouri Mathematics Mastery Program	10,326,250
For mental health support initiatives	19,100,000
For an assessment system redesign	12,958,885
For Missouri Postsecondary Advising Program	9,075,000
For a summer learning program, including summer enrichment programs provided by community-based organizations.....	20,000,000
For afterschool programs	20,000,000
For data system upgrades.....	640,626
For administration	7,662,817
For research and analysis	<u>2,167,000</u>
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	150,829,470
For the Close the Gap Grant Program	
For a one-time grant not more than \$1,500 to the parent, parents or guardians of each eligible kindergarten through grade 12 age child to support qualifying educational enrichment activities; these funds may be administered by a third-party vendor, which must create a digital account for each recipient that allows for reimbursement and for direct payment for qualified expenses; the Department of Elementary and Secondary Education shall establish criteria for qualifying expenses, which shall include but not be limited to: tutoring, extended school day educational programs, academic and arts-related day or summer camps, and educational, learning, study skills services, or services offered by local education agencies; grant awards shall be calculated in two tranches; eligible first tranche applicants shall include those applicants with incomes below 185 percent of the federal poverty level; first tranche awards shall be the lesser of \$1,500 or the quotient of the total appropriation divided by the eligible number of applicants; any amount of appropriation remaining after the first tranche distribution shall constitute the second tranche distribution; the second tranche distribution shall be equally divided among all remaining eligible applicants who did not receive a first tranche award;	

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Matter in bold-face type is proposed language.

the Department of Elementary and Secondary Education shall establish metrics to determine usage and success of program	
From Budget Stabilization Fund (0522)	25,000,000
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	25,000,000
Total (Not to exceed 4.00 F.T.E.).....	\$2,442,048,430

*I hereby veto \$4,875,000 Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund for the School Turnaround Program. This increase utilizes one-time federal funding to add additional schools to a program that requires a multi-year commitment. Further, the program started one year ago and no performance measures reflecting program success have been demonstrated yet to date. Demonstrated effectiveness should be a prerequisite before the program is expanded to additional schools. This maintains core funding of \$975,000 general revenue.

For the purpose of funding the School Turnaround Program.

From \$4,875,000 to \$0 from Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund.

I hereby veto \$2,000,000 Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund for a chemistry and physical science 3D game-based learning platform for middle and high school students. Although it does not identify a specific vendor, this appropriation appears to describe a specific vendor's learning platform as identified on the vendor's website. The Department of Elementary and Secondary Education is subject to state purchasing laws set forth in Chapter 34, RSMo, and must follow those laws when selecting a vendor rather than contracting with a particular vendor. Additionally, this program provides one-time state funding to support ongoing program costs, which could possibly jeopardize the program's future sustainability.

For the purpose of funding a chemistry and physical science 3D game-based learning platform.

From \$2,000,000 to \$0 from Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund.

By \$6,875,000 from \$2,442,048,430 to \$2,435,173,430 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 2.030. — To the Department of Elementary and Secondary Education
For distributions of the Governor's Emergency Education Relief Funds to the
free public schools under the Coronavirus Aid, Relief, and Economic
Security Act

From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....	\$8,713,652
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For distributions of the Governor's Emergency Education Relief Funds to the
free public schools under the Coronavirus Response and Relief
Supplemental Appropriations Act, provided fifty percent (50%) of funds
awarded to local educational agencies under this section are utilized to

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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provide financial assistance or microgrants directly to the parents or legal guardians of students	
From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....	11,348,102
For a teacher residency program principally located in a city with more than four hundred thousand inhabitants and located in more than one county focused on decreasing the number of teacher vacancies in the State of Missouri caused by the labor loss due to the pandemic	
From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....	100,000
For the Missouri Scholars and Fine Arts Academies	
From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....	100,000
For distributions of the Governor's Emergency Education Relief Funds for Emergency Assistance to Non-Public schools under the Coronavirus Response and Relief Supplemental Appropriations Act, provided that no funds may be used for distributions under Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act	
From Department of Elementary and Secondary Education Federal Emergency Relief Fund (2305).....	35,702,594
For distributions of the Governor's Emergency Education Relief Funds for Emergency Assistance to Non-Public schools under the American Rescue Plan Act, provided that no funds may be used for distributions under Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act	
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	68,641,868
Total.....	\$124,606,216

SECTION 2.032. — To the Department of Elementary and Secondary Education For the procurement, implementation, and maintenance of a skills evaluation platform for students in grades eight through twelve to complete an online individual career and academic plan and navigate available career pathways, education, military, postsecondary workforce opportunities in a secure and non-identifying manner, provided that the platform shall utilize data sources from a content model that identifies the most important types of information about work and integrates them into a theoretically and empirically sound system; embodies a view that reflects the character of occupations, via job-oriented descriptor, and people, via worker-oriented descriptors; allows occupational information to be applied across jobs, sectors, or industries, cross-occupational descriptors and within occupations, occupational-specific descriptors; and includes descriptors that are organized into six major domains, which enable the user to focus on areas

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of information that specify the key attributes and characteristics of workers and occupations	
From General Revenue Fund (0101)	\$2,500,000
SECTION 2.033. — To the Department of Elementary and Secondary Education For a workforce diploma program for adults without a high school diploma as designated by the Department of Elementary and Secondary Education	
From General Revenue Fund (0101)	\$2,000,000
SECTION 2.035. — To the Department of Elementary and Secondary Education For the School Nutrition Services Program to reimburse schools for school food programs	
From General Revenue Fund (0101)	\$3,412,151
From Elementary and Secondary Education - Federal Fund (0105)	337,306,415
Total	\$340,718,566
SECTION 2.040. — To the Department of Elementary and Secondary Education For a program to recruit, train, and/or develop teachers to teach in academically struggling school districts	
From General Revenue Fund (0101)	\$1,700,000
SECTION 2.043. — To the Department of Elementary and Secondary Education For teacher training organizations to address learning loss derived from the COVID-19 pandemic and improve teacher recruitment efforts in a city not within a county and a city with more than four hundred thousand inhabitants and located in more than one county	
From General Revenue Fund (0101)	\$350,000
SECTION 2.045. — To the Department of Elementary and Secondary Education For planning, design, procurement, and implementation of a K-3 reading assessment system for preliminary identification of students at risk for dyslexia and related disorders including analysis of phonological and phonemic awareness, rapid automatic naming, alphabetic principle, phonics, reading fluency, spelling, reading accuracy, vocabulary, and reading comprehension	
From General Revenue Fund (0101)	\$400,000
SECTION 2.047. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Evidence-based Reading Instruction Program Fund	
From Budget Stabilization Fund (0522)	\$25,000,000
SECTION 2.048. — To the Department of Elementary and Secondary Education To reimburse school districts and charters for costs associated with reading assessments, designated reading programs, supplies, and other reading materials	
From Evidence-based Reading Instruction Program Fund (0214)	\$25,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 2.050. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the STEM Career Awareness Program Fund	
From General Revenue Fund (0101)	\$250,000
SECTION 2.055. — To the Department of Elementary and Secondary Education For the STEM Career Awareness Program	
From STEM Career Awareness Program Fund (0997).....	\$250,000
SECTION 2.057. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Competency-Based Education Grant Program Fund	
From Budget Stabilization Fund (0522)	\$2,000,000
SECTION 2.058. — To the Department of Elementary and Secondary Education For the purpose of providing competency-based education programs	
From Competency-Based Education Grant Program Fund (0215).....	\$2,000,000
SECTION 2.060. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Computer Science Education Fund	
From General Revenue Fund (0101)	\$450,000
SECTION 2.065. — To the Department of Elementary and Secondary Education For Computer Science Education	
From Computer Science Education Fund (0423)	\$450,000
SECTION 2.067. — To the Department of Elementary and Secondary Education For a non-profit organization that focused on broadcasting and consists of alumni from public schools located in a city not within a county	
From Budget Stabilization Fund (0522)	\$100,000
SECTION 2.070. — To the Department of Elementary and Secondary Education For distributions to the public elementary and secondary schools in this state, pursuant to Chapters 144, 163, and 164, RSMo, pertaining to the School District Trust Fund	
From School District Trust Fund (0688)	\$1,153,426,000
SECTION 2.075. — To the Department of Elementary and Secondary Education For the Missouri Scholars and Fine Arts Academies	
From General Revenue Fund (0101)	\$650,000
SECTION 2.080. — To the Department of Elementary and Secondary Education For grants to establish safe schools programs addressing active shooter response training and school safety measures, including the hiring of school counselors to provide students with mental health services pertaining to suicide and other behavioral health needs, provided that grants are to be	

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distributed by a statewide education organization whose directors consist entirely of public school board members, and further provided three percent (3%) flexibility is allowed from this section to Section 2.500	
From General Revenue Fund (0101)	\$1,000,000
SECTION 2.081. — To the Department of Elementary and Secondary Education	
For a mental health coordinator	
Personal Service	\$80,000
Expense and Equipment	<u>20,000</u>
From General Revenue Fund (0101) (Not to exceed 1.00 F.T.E.)	\$100,000
SECTION 2.082. — To the Department of Elementary and Secondary Education	
For a statewide program that assists homeless students to help them overcome barriers to successfully find and stay in permanent housing	
From Budget Stabilization Fund (0522)	\$100,000
SECTION 2.083. — To the Department of Elementary and Secondary Education	
For a program dedicated to educational enrichment, tutoring, and support in the areas of science, technology, engineering, and math serving underserved and low-income students in a city with more than four hundred thousand inhabitants and located in more than one county	
From General Revenue Fund (0101)	\$50,000
SECTION 2.084. — To the Department of Elementary and Secondary Education	
For the purpose of funding a civic educational enhancement program, provided by a not-for-profit organization, based on historical American culture and ideals	
From General Revenue Fund (0101)	\$100,000
SECTION 2.085. — To the Department of Elementary and Secondary Education	
For the Virtual Schools Program	
From General Revenue Fund (0101)	\$200,000
From Lottery Proceeds Fund (0291)	389,778
For a statewide, competitively-bid virtual education program developed by a public K-12 institution	
From General Revenue Fund (0101)	<u>500,000</u>
Total	\$1,089,778
SECTION 2.090. — To the Department of Elementary and Secondary Education	
For costs associated with school district bonds	
From School District Bond Fund (0248)	\$492,000
SECTION 2.095. — To the Department of Elementary and Secondary Education	
For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies which may become available between sessions of the General Assembly provided that the	

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General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the use of said funds and further provided that no funds shall be used to implement or support the Common Core Standards

Personal Service.....	\$3,693
Expense and Equipment.....	<u>46,500</u>
From Vocational Rehabilitation Fund (0104)	50,193

Expense and Equipment	
From Elementary and Secondary Education - Federal Fund (0105)	<u>1,000,000</u>
Total.....	\$1,050,193

SECTION 2.100. — To the Department of Elementary and Secondary Education For the Commissioner of Education to provide funds to public schools, eligible for Federal E-rate reimbursement, to be used as a state match of up to ten percent (10%) of E-rate eligible special construction costs under the Federal E-rate program pursuant to 47 CFR 54.505, and to provide additional funds to eligible public schools in the amount necessary to bring the total support from Federal universal service combined with state funds under this section to one hundred percent (100%) of E-rate eligible special construction costs, provided that no funds are used to construct broadband facilities to schools and libraries where such facilities already exist providing at least 100mbps symmetrical service; and further provided that to the extent such funds are used to construct broadband facilities, the construction, ownership and maintenance of such facilities shall be procured through a competitive bidding process; and further provided that funds shall only be expended for telecommunications, telecommunications services, and internet access and no funds shall be expended for internal connections, managed internal broadband services, or basic maintenance of internal connections

From School Broadband Fund (0208)	\$300,000
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SECTION 2.105. — To the Department of Elementary and Secondary Education For the Division of Learning Services, provided three percent (3%) flexibility is allowed from this section to Section 2.500, and further provided that no funds are used to support the collection, distribution, or sharing of any individually identifiable student data with the federal government; with the exception of the reporting requirements of the Migrant Education Program funds in Section 2.155, the Vocational Rehabilitation funds in Section 2.220, and the Disability Determination funds in Section 2.225

Personal Service.....	\$3,678,329
Expense and Equipment.....	<u>261,920</u>
From General Revenue Fund (0101)	3,940,249

Personal Service.....	6,709,957
Expense and Equipment.....	<u>3,669,573</u>
From Elementary and Secondary Education - Federal Fund (0105)	10,379,530

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Personal Service.....	829,704
Expense and Equipment.....	<u>2,318,711</u>
From Excellence in Education Fund (0651).....	3,148,415

For the Office of Adult Learning and Rehabilitative Services

Personal Service.....	34,695,406
Expense and Equipment.....	<u>3,660,422</u>
From Vocational Rehabilitation Fund (0104).....	<u>38,355,828</u>
Total (Not to exceed 860.51 F.T.E.)	\$55,824,022

SECTION 2.107. — To the Department of Elementary and Secondary Education

For a patriotic and civics training program to prepare teachers to teach the principles of American civics and patriotism

From General Revenue Fund (0101)	\$500,000
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SECTION 2.110. — To the Department of Elementary and Secondary Education

For funding an early literacy program targeting third grade reading success in academically struggling school districts which provides a full continuum of school-based, early literacy intervention services, for all grades Pre-K through third grade, consisting of developmentally appropriate components for each grade delivered each day school is in session by professionally coached, full-time interventionists who collect data regularly and use an intervention model that is comprehensive, has been proven to be effective in one or more empirical studies, and is provided by a not-for-profit organization to a Local Education Agency or community-based early childhood center

From General Revenue Fund (0101)	\$455,000
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SECTION 2.115. — To the Department of Elementary and Secondary Education

For the Performance Based Assessment Program, provided that no funds are used to support the collection, distribution, or sharing of any individually identifiable student data with the federal government; with the exception of the reporting requirements of the Migrant Education Program funds in Section 2.155, the Vocational Rehabilitation funds in Section 2.220, and the Disability Determination funds in Section 2.225, and further provided that no funds from this section shall be used for license fees or membership dues for the Smarter Balanced Assessment Consortium

From General Revenue Fund (0101)	\$8,972,212
From Elementary and Secondary Education - Federal Fund (0105).....	7,800,000
From Lottery Proceeds Fund (0291).....	<u>4,311,255</u>
Total.....	\$21,083,467

SECTION 2.120. — To the Department of Elementary and Secondary Education

For the design, renovation, construction, and improvements of career (vocational) technical schools; provided that costs are shared at ratio of fifty percent state and fifty percent local

From General Revenue Fund (0101)	\$5,500,000
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SECTION 2.125. — To the Department of Elementary and Secondary Education
 For distributions to providers of vocational education programs
 From Elementary and Secondary Education - Federal Fund (0105).....\$23,000,000

SECTION 2.130. — To the Department of Elementary and Secondary Education
 For dyslexia programs, provided three percent (3%) flexibility is allowed from
 this section to Section 2.500
 From General Revenue Fund (0101) \$600,000

SECTION 2.135. — To the Department of Elementary and Secondary Education
 For the Missouri Healthy Schools, Successful Students Program
 From Elementary and Secondary Education - Federal Fund (0105)..... \$283,148
 From Department of Elementary and Secondary Education Federal Stimulus
 Fund (2300)..... 200,000
 Total..... \$483,148

SECTION 2.137. — To the Department of Elementary and Secondary Education
 For a not-for-profit organization that focuses on health, hunger, and hygiene
 From General Revenue Fund (0101)\$2,500,000

SECTION 2.140. — To the Department of Elementary and Secondary Education
 For the Missouri Project AWARE program to address the mental health needs
 of youth
 From Elementary and Secondary Education - Federal Fund (0105).....\$1,706,933

SECTION 2.145. — To the Department of Elementary and Secondary Education
 For the Comprehensive Literacy Development Program
 From Elementary and Secondary Education - Federal Fund (0105).....\$4,299,130

SECTION 2.150. — To the Department of Elementary and Secondary Education
 For a public school district located within a city not within a county, a
 district-wide innovative "Literacy Course" reading tiered systematic
 intervention program using reading teachers and academic instructional
 coaches who will model literacy lessons for classroom teachers and provide
 support for individual students with reading deficiencies, and determine
 reading tiers and track student progress; provided that each student has an
 Individualized Reading Plan to monitor their progress over time as they enter
 each grade
 From General Revenue Fund (0101)\$2,500,000

SECTION 2.155. — To the Department of Elementary and Secondary Education
 For improving the academic achievement of the disadvantaged programs
 operated by local education agencies under Title I of the Elementary and
 Secondary Education Act of 1965 as amended by the Every Student
 Succeeds Act of 2015, provided twenty-five percent (25%) flexibility is
 allowed from this section to Section 2.295
 From Elementary and Secondary Education - Federal Fund (0105).....\$255,588,775

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SECTION 2.160. — To the Department of Elementary and Secondary Education For facilitating the identification, enrollment, attendance, and success in school of homeless children and youths under Title IX, Part A of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015	
From Elementary and Secondary Education - Federal Fund (0105).....	\$1,500,000
For facilitating the identification, enrollment, attendance, and success in school of homeless children and youths as authorized by the American Rescue Plan Act	
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	12,822,529
Total.....	\$14,322,529
SECTION 2.165. — To the Department of Elementary and Secondary Education For programs for the gifted from interest earnings accruing in the Stephen Morgan Ferman Memorial for Education of the Gifted	
From State School Moneys Fund (0616).....	\$9,027
SECTION 2.170. — To the Department of Elementary and Secondary Education For the Supporting Effective Instruction Grants Program pursuant to Title II of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015	
From Elementary and Secondary Education - Federal Fund (0105).....	\$44,000,000
SECTION 2.175. — To the Department of Elementary and Secondary Education For the Rural Education Initiative grants pursuant to Title V, Part B of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015	
From Elementary and Secondary Education - Federal Fund (0105).....	\$3,500,000
SECTION 2.180. — To the Department of Elementary and Secondary Education For language acquisition pursuant to Title III of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015	
From Elementary and Secondary Education - Federal Fund (0105).....	\$5,800,000
SECTION 2.185. — To the Department of Elementary and Secondary Education For Student Support and Enrichment grants pursuant to Title IV, Part A of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015	
From Elementary and Secondary Education - Federal Fund (0105).....	\$21,000,000
SECTION 2.190. — To the Department of Elementary and Secondary Education For the Refugee Children School Impact Grants Program	
From Elementary and Secondary Education - Federal Fund (0105).....	\$500,000

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SECTION 2.195. — To the Department of Elementary and Secondary Education
For character education initiatives
From General Revenue Fund (0101) \$200,000

SECTION 2.200. — To the Department of Elementary and Secondary Education
Funds are to be transferred out of the State Treasury to the School
Turnaround Fund
From General Revenue Fund (0101) \$975,000

SECTION 2.205. — To the Department of Elementary and Secondary Education
For the School Turnaround Program
From School Turnaround Fund (0439)..... \$975,000

SECTION 2.210. — To the Department of Elementary and Secondary Education
For seclusion and restraint incident collection and reporting
From General Revenue Fund (0101) \$5,000

SECTION 2.215. — To the Department of Elementary and Secondary Education
For the Teacher of the Year Program
From Elementary and Secondary Education - Federal Fund (0105)..... \$40,000

SECTION 2.220. — To the Department of Elementary and Secondary Education
For the Vocational Rehabilitation Program
From General Revenue Fund (0101) \$15,841,442
From Vocational Rehabilitation Fund (0104) 51,877,223
From Lottery Proceeds Fund (0291)..... 1,400,000

For Payments by the Department of Mental Health
From Vocational Rehabilitation Fund (0104) 1,000,000
Total..... \$70,118,665

SECTION 2.225. — To the Department of Elementary and Secondary Education
For the Disability Determination Program
From Vocational Rehabilitation Fund (0104) \$24,162,577

SECTION 2.230. — To the Department of Elementary and Secondary Education
For Independent Living Centers, provided three percent (3%) flexibility is
allowed from this section to Section 2.500
From General Revenue Fund (0101) \$1,860,000
From Vocational Rehabilitation Fund (0104) 1,402,546
From Independent Living Center Fund (0284) 390,556

For an equal increase on a percentage basis for Independent Living Centers that
receive additional funding directly from the federal government
From General Revenue Fund (0101) 160,555

For equalization of state funding to Independent Living Centers that do not
receive additional funding directly from the federal government

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From General Revenue Fund (0101)	<u>1,739,446</u>
Total.....	\$5,553,103

SECTION 2.235. — To the Department of Elementary and Secondary Education
For distributions to educational institutions for the Adult Basic Education
Program, provided three percent (3%) flexibility is allowed from this section
to Section 2.500

From General Revenue Fund (0101)	\$5,014,868
From Elementary and Secondary Education - Federal Fund (0105)	<u>9,999,155</u>
Total.....	\$15,014,023

SECTION 2.240. — To the Department of Elementary and Secondary Education
For the Troops to Teachers Program

From Elementary and Secondary Education - Federal Fund (0105)	\$95,000
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SECTION 2.245. — To the Department of Elementary and Secondary Education
For the Special Education Program, provided twenty-five percent (25%)
flexibility is allowed from this section to Section 2.265

From Elementary and Secondary Education - Federal Fund (0105)	\$217,873,391
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	<u>46,541,208</u>
Total.....	\$264,414,599

SECTION 2.250. — To the Department of Elementary and Secondary Education
For special education excess costs

From General Revenue Fund (0101)	\$39,946,351
From Lottery Proceeds Fund (0291)	<u>19,590,000</u>
Total.....	\$59,536,351

SECTION 2.255. — To the Department of Elementary and Secondary Education
For the Office of Childhood

Personal Service	\$2,151,469
Expense and Equipment	<u>924,860</u>
From General Revenue Fund (0101)	3,076,329

Personal Service	1,540,722
Expense and Equipment	<u>155,609</u>
From Elementary and Secondary Education - Federal Fund (0105)	1,696,331

Personal Service	4,850,205
Expense and Equipment	<u>1,368,457</u>
From Child Care and Development Block Grant Federal Fund (0168)	6,218,662

Personal Service	133,936
Expense and Equipment	<u>7,022</u>
From Department of Elementary and Secondary Education Federal Stimulus Fund (2300)	140,958

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Personal Service.....	133,936
Expense and Equipment.....	<u>7,022</u>
From Department of Elementary and Secondary Education Federal Stimulus - 2021 Fund (2436)	<u>140,958</u>
Total (Not to exceed 168.50 F.T.E.)	\$11,273,238

SECTION 2.260. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For the Early Childhood Special Education Program	
From General Revenue Fund (0101)	\$176,956,087
From Lottery Proceeds Fund (0291)	16,548,507
From Early Childhood Development, Education and Care Fund (0859)	21,464,533
From Department of Elementary and Secondary Education Federal Emergency Relief 2021 Fund (2434)	<u>3,253,268</u>
Total.....	\$218,222,395

SECTION 2.265. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For the Special Education Program, provided twenty-five percent (25%) flexibility is allowed from this section to Section 2.245	
From Elementary and Secondary Education - Federal Fund (0105)	\$27,000,000

SECTION 2.270. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For Early Childhood Development, provided that the Department of Elementary and Secondary Education shall coordinate the delivery of Parent Education Services with the Home Visiting Programs within the Office of Childhood	
From General Revenue Fund (0101)	\$23,418,975
From Early Childhood Development, Education and Care Fund (0859)	5,000,000

For reimbursements to school districts for Parent Education in conjunction with the Early Childhood Education and Screening Program, provided three percent (3%) flexibility is allowed from this section to Section 2.500	
From General Revenue Fund (0101)	198,200

For Early Childhood Development in unaccredited or provisionally accredited districts, provided that the Department of Elementary and Secondary Education shall coordinate the delivery of Parent Education Services with the Home Visiting Programs within the Office of Childhood	
From General Revenue Fund (0101)	<u>500,000</u>
Total.....	\$29,117,175

SECTION 2.275. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For grants to community-based programs to strengthen the child welfare system locally to prevent child abuse and neglect and divert children from entering into the custody of the Department of Social Services, Children's Division,	
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provided three percent (3%) flexibility is allowed from this section to
Section 2.500

From General Revenue Fund (0101)	\$4,611,500
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,290,000
From Child Care and Development Block Grant Federal Fund (0168).....	1,537,000
From Department of Elementary and Secondary Education Federal Stimulus Fund (2300).....	907,000

For the purpose of funding home visitation services through the early and periodic screening, diagnostic, and treatment benefit under the MO HealthNet fee-for-service program to pregnant women under age 21 and their children under age 3. Services shall include screening, health education and anticipatory guidance, and case management provided through evidence-based home visitation models. Women must meet at least one risk factor determined by the office to increase the likelihood of poor health outcomes. To offer services under this section providers must document certification in an evidence-based home visitation model approved by the office. The Office of Childhood and the MO HealthNet Division shall coordinate the delivery of these services

From Title XIX - Federal Fund (0163).....	3,000,000
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For the purpose of providing home visiting services and health and safety services and education through local implementing agencies and for the administration of the Parent Advisory Council, provided that three percent (3%) flexibility is allowed from this section to Section 2.500

From Elementary and Secondary Education - Federal Fund (0105).....	6,551,508
From Department of Elementary and Secondary Education Federal Stimulus - 2021 Fund (2436)	516,984
Total.....	\$18,413,992

SECTION 2.280. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For the early childhood comprehensive system

From Elementary and Secondary Education - Federal Fund (0105).....	\$255,600
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SECTION 2.285. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For development of a voluntary early learning quality assurance report

From General Revenue Fund (0101)	\$119,713
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For receiving and expending early childhood education grants

From Elementary and Secondary Education - Federal Fund (0105).....	17,200,000
Total.....	\$17,319,713

SECTION 2.290. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For the First Steps Program, provided three percent (3%) flexibility is allowed
from this section to Section 2.500

From General Revenue Fund (0101)	\$47,218,953
From Elementary and Secondary Education - Federal Fund (0105).....	10,993,757
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	1,500,000
From Department of Elementary and Secondary Education Federal Stimulus - 2021 Fund (2436)	3,706,223
From Part C Early Intervention Fund (0788)	10,000,000
Total.....	\$73,418,933

SECTION 2.295. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For improving the academic achievement of the disadvantaged programs
operated by local education agencies under Title I of the Elementary and
Secondary Education Act of 1965 as amended by the Every Student
Succeeds Act of 2015, provided twenty-five percent (25%) flexibility is
allowed from this section to Section 2.155

From Elementary and Secondary Education - Federal Fund (0105).....	\$31,411,225
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SECTION 2.300. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For the School Age Afterschool Program

From Elementary and Secondary Education - Federal Fund (0105).....	\$20,314,215
From Child Care and Development Block Grant Federal Fund (0168).....	1,263,063

For afterschool programs in urban areas with a focus on addressing the needs of
students in school districts affected by gun violence, with a priority of
serving high poverty students

From General Revenue Fund (0101)	350,000
Total.....	\$21,927,278

SECTION 2.303. — To the Department of Elementary and Secondary Education
For an organization principally located in a city not within a county focused on
positive youth development for high school students through mentorships
and engagement programs offered during both the school day and after
school

From Lottery Proceeds Fund (0291).....	\$300,000
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SECTION 2.305. — To the Department of Elementary and Secondary Education
For the Office of Childhood, Quality Initiatives, provided five percent (5%)
flexibility is allowed from this section to Section 2.310 and that three percent
(3%) flexibility is allowed from this section to Section 2.500

For the general administration of the quality initiatives programs, including
development and implementation of automated systems to enhance time,
attendance reporting, contract compliance, payment accuracy, monitoring,
referral services, professional development, before and after school

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programs, Early Head Start, parent education, background screenings, and to support the Educare Program	
From General Revenue Fund (0101)	\$10,961,665
From Child Care and Development Block Grant Federal Fund (0168).....	29,600,082
From Early Childhood Development, Education and Care Fund (0859)	295,399
For quality assurance rating	
From Child Care and Development Block Grant Federal Fund (0168).....	500,000
For the purpose of enhancing child care health and safety practices through provider outreach	
From Elementary and Secondary Education - Federal Fund (0105).....	237,712
From Child Care and Development Block Grant Federal Fund (0168).....	414,362
For activities to improve the quality of childcare, increase the availability of early childhood development programs, before- and after-school care, in-home services for families with newborn children, and for general administration of the program	
From Elementary and Secondary Education - Federal Fund (0105).....	436,675
For early childhood development, education, and care programs for low-income families	
From General Revenue Fund (0101)	<u>3,500,000</u>
Total.....	\$45,945,895

SECTION 2.310. — To the Department of Elementary and Secondary Education For the Office of Childhood, Child Care Subsidy, provided five percent (5%) flexibility is allowed from this section to Section 2.305 and that three percent (3%) flexibility is allowed from this section to Section 2.500

For child care subsidy payments for low-income families, provided that the income thresholds for child care subsidies shall be a full traditional subsidy benefit for individuals with an income which is less than or equal to 150 percent of the federal poverty level; a transitional benefit of 80 percent for individuals with an income which is less than or equal to 185 percent of the federal poverty level but greater than 150 percent of the federal poverty level; a transitional benefit of 60 percent for individuals with an income which is less than or equal to 215 percent of the federal poverty level but greater than 185 percent of federal poverty level, and to provide childcare subsidies for children under the care, or custody of, the Department of Social Services - Children's Division and children adopted or under legal guardianship through Children's Division, and further provide that the subsidy paid to providers on behalf of children in legal custody of the Children's Division shall be no less than the market rate by region and provider-type, in accordance with the latest market rate study performed by or for the office

From General Revenue Fund (0101)	\$22,463,167
From Child Care and Development Block Grant Federal Fund (0168).....	145,648,290

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From Early Childhood Development, Education and Care Fund (0859)	7,279,101
Total.....	\$175,390,558

SECTION 2.315. — To the Department of Elementary and Secondary Education
 For the Office of Childhood
 For child care services in response to the COVID-19 pandemic
 From Department of Elementary and Secondary Education Federal Stimulus
 Fund (2300).....\$11,925,022

SECTION 2.320. — To the Department of Elementary and Secondary Education
 For the Office of Childhood
 For child care services in response to the COVID-19 pandemic
 From Department of Elementary and Secondary Education Federal Stimulus
 Fund (2300).....\$134,636,065

SECTION 2.327. — To the Department of Elementary and Secondary Education
 Funds are to be transferred out of the State Treasury to the Child Care
 Stabilization Federal Emergency Relief 2021 Fund
 From Department of Elementary and Secondary Education Federal
 Stimulus - 2021 Fund (2436).....\$444,140,749

Funds are to be transferred out of the State Treasury to the Child Care
 Discretionary Federal Emergency Relief 2021 Fund
 From Department of Elementary and Secondary Education Federal
 Stimulus - 2021 Fund (2436).....277,132,195
 Total.....\$721,272,944

SECTION 2.328. — To the Department of Elementary and Secondary Education
 For the Office of Childhood
 For child care stabilization services in response to the COVID-19 pandemic
 From Child Care Stabilization Federal Emergency Relief 2021 Fund (2467)\$325,000,000

For child care discretionary services in response to the COVID-19 pandemic
 From Child Care Discretionary Federal Emergency Relief 2021 Fund (2468).....104,500,000

For a funding opportunity providing child care to Missouri essential workers,
 including but not limited to employees of the State of Missouri, for the
 purpose of improving employee recruitment and retention; provided that
 interested new child care provider applicants shall submit a proposal for use
 of these funds, up to 250,000 dollars, no later than January 31, 2023; and
 further provided that eligible costs for these funds include staffing, facility
 lease, facility improvements or expansion, and other expense and equipment
 associated with child care partnerships; and further provided that the
 Department of Elementary and Secondary Education shall, within 60 days
 of receiving such applications, either approve such application or return it to
 the applicant with suggestions for improvements/corrections to be made
 within six weeks; and further provided that entities receiving such funds for

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child care partnerships to provide child care to Missouri's essential workers shall ensure services are available to children of state of Missouri employees, and then as capacity allows, children in the community; and further provided that the child care providers complete reports to the Department of Elementary and Secondary Education after receiving such funds for child care partnerships the impact of such child care facilities on employee retention efforts

From Child Care Discretionary Federal Emergency Relief 2021 Fund (2468)..... 10,000,000

For a funding opportunity providing child care to employees of Missouri small businesses, for the purpose of improving employee retention; provided that interested businesses shall submit proposals for use of these funds, up to 250,000 dollars, no later than January 31, 2023; and further provided that eligible costs for these funds include staffing, facility lease, facility improvements or expansion, and other expense and equipment associated with child care partnerships; and further provided that the Department of Elementary and Secondary Education shall, within 60 days of receiving such applications, either approve or reject such applications, until such funding has been completely allocated; and further provided that applications featuring multiple small businesses applying together to provide child care for their employees are given priority, and further provided that businesses receiving such funds shall ensure child care services are available to children of their employees, and then as capacity allows, children in the community; and further provided that businesses receiving such funds for child care shall provide to the Department of Elementary and Secondary Education reports on the impact of such child care partnerships on employee retention efforts

From Child Care Discretionary Federal Emergency Relief 2021 Fund (2468)..... 10,000,000

For the creation of on-site child care facilities at a high school principally located in a city not within a county with more than four hundred fifteen students but less than four hundred forty students enrolled during academic year 2020-2021 and a high school principally located in a city not within a county with more than five hundred students but less than five hundred fifty students enrolled during academic year 2020-2021, including capital improvement, staff, food, and other supplies necessary to run such facilities, to provide services to their students who have children

From Child Care Discretionary Federal Emergency Relief 2021 Fund (2468)..... 500,000

Total.....\$450,000,000

SECTION 2.330. — To the Department of Elementary and Secondary Education For payments to school districts for children in residential placements through the Department of Mental Health or the Department of Social Services pursuant to Section 167.126, RSMo

From General Revenue Fund (0101) \$625,000

From Lottery Proceeds Fund (0291) 4,750,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For payments to school districts for children in residential placements through the Department of Mental Health or the Department of Social Services pursuant to Section 167.126, RSMo, provided that said placements make up at least thirty percent (30%) of an eligible district's prior year average daily attendance

From Lottery Proceeds Fund (0291).....	250,000
Total.....	\$5,625,000

SECTION 2.332. — To the Department of Elementary and Secondary Education
For the purpose of providing tampons, sanitary napkins, and other related products in the school nurse's office, student health center or other area designated by the school administration for all middle school, junior high, and high school buildings in which there are students in grades six through twelve, at no charge to students

From General Revenue Fund (0101)	\$1,000,000
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SECTION 2.333. — To the Department of Elementary and Secondary Education
To contract with a vendor to provide to all public schools, nebulizers, nebulizer tubing and masks, peak flow meters and spacers, and training to school nurses who treat children with asthma and allergies in the school setting

From Budget Stabilization Fund (0522)	\$1,300,000
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SECTION 2.335. — To the Department of Elementary and Secondary Education
For the Sheltered Workshops Program, provided three percent (3%) flexibility is allowed from this section to Section 2.500

From General Revenue Fund (0101)	\$26,291,961
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Section 2.340. — To the Department of Elementary and Secondary Education
For payments to readers for blind or visually-disabled students in elementary and secondary schools, provided three percent (3%) flexibility is allowed from this section to Section 2.500

From General Revenue Fund (0101)	\$25,000
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SECTION 2.345. — To the Department of Elementary and Secondary Education
For a task force on blind student academic and vocational performance, provided three percent (3%) flexibility is allowed from this section to Section 2.500

From General Revenue Fund (0101)	\$231,953
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SECTION 2.350. — To the Department of Elementary and Secondary Education
For the Missouri School for the Deaf

From School for the Deaf Trust Fund (0922)	\$49,500
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SECTION 2.355. — To the Department of Elementary and Secondary Education
For the Missouri School for the Blind

From School for the Blind Trust Fund (0920)	\$1,500,000
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 2.360. — To the Department of Elementary and Secondary Education For the Missouri Special Olympics Program, provided three percent (3%) flexibility is allowed from this section to Section 2.500	
From General Revenue Fund (0101)	\$100,000
SECTION 2.365. — To the Department of Elementary and Secondary Education For the Missouri Schools for the Severely Disabled	
From Handicapped Children's Trust Fund (0618)	\$200,000
SECTION 2.370. — To the Department of Elementary and Secondary Education For the Missouri Charter Public School Commission, provided ten percent (10%) flexibility is allowed from personal service to expense and equipment	
Personal Service.....	\$491,132
Expense and Equipment.....	<u>2,807,421</u>
From Charter Public School Commission Revolving Fund (0860)	3,298,553
Expense and Equipment	
From Charter Public School Commission Federal Fund (0175)	<u>500,000</u>
Total (Not to exceed 6.00 F.T.E.).....	\$3,798,553
SECTION 2.375. — To the Department of Elementary and Secondary Education For the Missouri Commission for the Deaf and Hard of Hearing, provided three percent (3%) flexibility is allowed from this section to Section 2.500	
Personal Service.....	\$374,331
Expense and Equipment.....	<u>164,177</u>
From General Revenue Fund (0101)	538,508
For grants to organizations providing deaf-blind services pursuant to Section 161.412.1, RSMo	
From General Revenue Fund (0101)	300,000
Personal Service.....	38,171
Expense and Equipment.....	<u>119,000</u>
From Missouri Commission for the Deaf and Hard of Hearing Fund (0743)	157,171
Expense and Equipment	
From Missouri Commission for the Deaf and Hard of Hearing Board of Certification of Interpreters Fund (0264)	<u>151,263</u>
Total (Not to exceed 7.00 F.T.E.).....	\$1,146,942
SECTION 2.380. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Statewide Hearing Aid Distribution Fund	
From General Revenue Fund (0101)	\$100,000
SECTION 2.385. — To the Department of Elementary and Secondary Education For the Missouri Commission for the Deaf and Hard of Hearing	

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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For the Statewide Hearing Aid Distribution Program
 From Statewide Hearing Aid Distribution Fund (0617)..... \$200,000

SECTION 2.387. — To the Department of Elementary and Secondary Education
 For the Missouri Holocaust Education and Awareness Commission
 Expense and Equipment
 From General Revenue Fund (0101) \$32,000

Section 2.390. — To the Department of Elementary and Secondary Education
 For the Missouri Assistive Technology Council
 Expense and Equipment
 From General Revenue Fund (0101) \$312,500

Personal Service..... 233,644
 Expense and Equipment..... 571,842
 From Assistive Technology Federal Fund (0188) 805,486

Personal Service..... 259,640
 Expense and Equipment..... 1,639,889
 From Deaf Relay Service and Equipment Distribution Program Fund (0559) 1,899,529

Personal Service..... 58,914
 Expense and Equipment..... 575,000
 From Assistive Technology Loan Revolving Fund (0889) 633,914

Expense and Equipment
 From Assistive Technology Trust Fund (0781)..... 1,080,000

For the payment of refunds set off against debt as required by Section 143.786,
 RSMo
 From Debt Offset Escrow Fund (0753)..... 1,000
 Total (Not to exceed 8.40 F.T.E.)..... \$4,732,429

SECTION 2.395. — To the Department of Elementary and Secondary Education
 Funds are to be transferred out of the State Treasury, chargeable to the
 General Revenue Fund-County Foreign Tax Distribution, to the State
 School Moneys Fund
 From General Revenue Fund (0101) \$117,884,579

SECTION 2.400. — To the Department of Elementary and Secondary Education
 Funds are to be transferred out of the State Treasury to the State School
 Moneys Fund
 From Fair Share Fund (0687) \$19,200,000

SECTION 2.405. — To the Department of Elementary and Secondary Education
 Funds are to be transferred out of the State Treasury to the Outstanding
 Schools Trust Fund
 From General Revenue Fund (0101) \$836,600,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

SECTION 2.410. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Classroom Trust Fund	
From Gaming Proceeds for Education Fund (0285)	\$335,000,000
SECTION 2.415. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the Classroom Trust Fund	
From Lottery Proceeds Fund (0291)	\$14,005,372
SECTION 2.420. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the School District Bond Fund	
From Gaming Proceeds for Education Fund (0285)	\$492,000
SECTION 2.425. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the State School Moneys Fund	
From School Building Revolving Fund (0279)	\$1,500,000
SECTION 2.430. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury to the State School Moneys Fund	
From After-School Retreat Reading and Assessment Grant Program Fund (0732)	\$2,000
SECTION 2.500. — To the Department of Elementary and Secondary Education Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Sections 105.711 through 105.726, RSMo, to the State Legal Expense Fund	
From General Revenue Fund (0101)	\$1

PART 2

SECTION 2.502. — To the Department of Elementary and Secondary Education In reference to all sections in Part 1 of this act: No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.	
SECTION 2.505. — To the Department of Elementary and Secondary Education In reference to Section 2.310 of Part 1 of this act: No funds shall be expended in furtherance of provider rates greater than 5% above the rate in effect on December 1, 2020, and no funds shall be expended in furtherance of any benefit greater than that provided for by the applicable traditional or transitional child care subsidy income eligibility threshold.	

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 2.510. — To the Department of Elementary and Secondary Education

In reference to Sections 2.315, 2.320, and 2.328 of Part 1 of this act:

Subject to federal approval, a transitional child care subsidy benefit for low-income families not previously qualifying for a traditional benefit shall be provided for in full from this appropriation, and the amount of the benefit shall be determined by the income eligibility thresholds in Section 2.310. Any established sliding fees that provide for cost sharing by families that receive a child care subsidy shall be waived for the participant and paid by the department to providers from this appropriation. A new transitional child care subsidy benefit of 50 percent for individuals with an income which is less than or equal to 300 percent of the federal poverty level but greater than 216 percent of the federal poverty level but not greater than 85% of the state median income shall be provided for in full from this appropriation.

PART 3**SECTION 2.600.** — To the Department of Elementary and Secondary Education

In reference to Section 2.310 of Part 1 and Part 2 of this act:

The Department shall provide written notification prior to submission to the federal government of state plans and state plan amendments, and reports, to the House Budget and Senate Appropriation Committee Chairs.

SECTION 2.605. — To the Department of Elementary and Secondary Education

In reference to Sections 2.315, 2.320, and 2.328 of Part 1 and Part 2 of this act:

The Department shall provide written notification of spend plans and spend plan amendments to the House Budget and Senate Appropriation Committee Chairs prior to submission to the federal government and prior to expenditure of such funds.

SECTION 2.615. — To the Department of Elementary and Secondary Education

The Department shall direct deposits of moneys from the federal government that accrue to the state from the Child Care and Development Block Grant into the Child Care and Development Block Grant Federal Fund (0168), with the exception of: a) additional stimulus block grant distributions authorized under the Coronavirus Aid, Relief, and Economic Security Act, the Coronavirus Response and Relief Supplemental Appropriations Act, the American Rescue Plan Act, and any other additional block grant distributions received before June 30, 2023, under subsequent future federal stimulus acts, and b) any increase due to a temporary increase in the Federal Medical Assistance Percentage (FMAP).

SECTION 2.620. — To the Department of Elementary and Secondary Education**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
2.005	7	\$2,500	0
2.015	10	\$214,463,392	0
2.025	98	\$25,000,000	0
2.025	100	\$25,000,000	0
2.033	6	\$2,000,000	0
2.043	7	\$350,000	0
2.075	4	\$150,000	0
2.083	8	\$50,000	0
2.084	6	\$100,000	0
2.135	6	\$200,000	0
2.255	5	\$870,000	0
2.255	11	\$5,280	0
2.255	14	\$5,280	0
2.255	18	\$5,280	0
2.333	7	\$1,300,000	0
2.390	5	\$312,500	0

Bill Totals

General Revenue Fund.....	\$3,894,591,553
Federal Funds.....	4,641,551,931
Other Funds.....	<u>1,857,949,220</u>
Total.....	\$10,394,092,704

Approved June 30, 2022

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

CCS SS SCS HCS HB 3003

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions and programs thereof, and institutions of higher education, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated, for the period beginning July 1, 2022, and ending June 30, 2023, as follows:

PART 1

SECTION 3.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarifications of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 3.005. — To the Department of Higher Education and Workforce Development

For Higher Education Coordination and for grant and scholarship program administration, provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 3.145

Personal Service.....	\$2,521,723
Expense and Equipment.....	762,314

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From General Revenue Fund (0101)	3,284,037
Personal Service.....	43,611
Expense and Equipment.....	16,850
From Department of Higher Education Out-of-State Program Fund (0420).....	60,461
For workshops and conferences sponsored by the Department of Higher Education and Workforce Development, and for distribution of federal funds to higher education institutions, to be paid for on a cost-recovery basis and for returning unspent grant funds to the original grantor organization	
From Quality Improvement Revolving Fund (0537)	75,000
Total (Not to exceed 47.03 F.T.E.)	\$3,419,498

SECTION 3.010. — To the Department of Higher Education and Workforce Development

For distributions of the Governor's Emergency Education Relief Funds to institutions of higher education under the Coronavirus Response and Relief Supplemental Appropriations Act	
From Department of Higher Education and Workforce Development Federal Emergency Relief Fund (2315)	\$8,000,000

For commissioning a study which provides recommendations to the Governor and General Assembly on public higher education performance funding models, considering state fiscal climate and institutional mission, to be completed by December 15, 2022; and for commissioning a study that makes recommendations to the Governor and General Assembly regarding higher education efficiency and possible reforms, considering current institutional missions and state fiscal resources, to be completed by July 1, 2023

From Department of Higher Education and Workforce Development Federal Emergency Relief Fund (2315)	450,000
Total.....	\$8,450,000

SECTION 3.015. — To the Department of Higher Education and Workforce Development

For the MO Excels Workforce Initiative, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From Budget Stabilization Fund (0522)	\$31,496,061

SECTION 3.020. — To the Department of Higher Education and Workforce Development

For regulation of proprietary schools as provided in Section 173.600, RSMo	
Personal Service.....	\$245,995
Expense and Equipment.....	92,619
From Proprietary School Certification Fund (0729).....	338,614

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the initial and ongoing costs to the department associated with the closure of proprietary schools, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	47,475
Expense and Equipment.....	100,000
From Proprietary School Bond Fund (0760).....	147,475
Total (Not to exceed 5.00 F.T.E.).....	\$486,089

SECTION 3.025. — To the Department of Higher Education and Workforce Development

For indemnifying individuals as a result of improper actions on the part of proprietary schools as provided in Section 173.612, RSMo

From Proprietary School Bond Fund (0760).....	\$400,000
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SECTION 3.030. — To the Department of Higher Education and Workforce Development

For annual membership in the Midwestern Higher Education Compact

From General Revenue Fund (0101)	\$115,000
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SECTION 3.035. — To the Department of Higher Education and Workforce Development

For receiving and expending donations and federal funds, provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the expenditure of said funds and further provided that no funds shall be used to implement or support the Common Core Standards

From Department of Higher Education and Workforce Development Fund (0116).....	\$500,000
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SECTION 3.040. — To the Department of Higher Education and Workforce Development

For receiving and expending donations and funds other than federal funds, provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the expenditure of said funds and further provided that no funds shall be used to implement or support the Common Core Standards

From State Institutions Gift Trust Fund (0925).....	\$1,000,000
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SECTION 3.045. — To the Department of Higher Education and Workforce Development

Funds are to be transferred out of the State Treasury to the Academic Scholarship Fund, provided three percent (3%) flexibility is allowed from this section to Section 3.145

From General Revenue Fund (0101)	\$22,076,666
From Lottery Proceeds Fund (0291).....	3,500,000
From State Institutions Gift Trust Fund (0925).....	2,000,000
Total.....	\$27,576,666

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 3.050. — To the Department of Higher Education and Workforce Development
For the Higher Education Academic Scholarship Program pursuant to Chapter 173, RSMo
From Academic Scholarship Fund (0840)\$29,076,666

SECTION 3.055. — To the Department of Higher Education and Workforce Development
Funds are to be transferred out of the State Treasury to the Access Missouri Financial Assistance Fund, provided three percent (3%) flexibility is allowed from this section to Section 3.145
From General Revenue Fund (0101)\$56,954,385
From Lottery Proceeds Fund (0291) 16,416,667
From State Institutions Gift Trust Fund (0925)..... 2,000,000
From Missouri Student Grant Program Gift Fund (0272)..... 50,000
Total.....\$75,421,052

SECTION 3.060. — To the Department of Higher Education and Workforce Development
For the Access Missouri Financial Assistance Program pursuant to Chapter 173, RSMo
From Access Missouri Financial Assistance Fund (0791).....\$83,960,000

SECTION 3.065. — To the Department of Higher Education and Workforce Development
Funds are to be transferred out of the State Treasury to the A+ Schools Fund, provided three percent (3%) flexibility is allowed from this section to Section 3.145
From General Revenue Fund (0101)\$25,653,878
From Lottery Proceeds Fund (0291) 32,659,448
From State Institutions Gift Trust Fund (0925)..... 2,000,000
Total.....\$60,313,326

SECTION 3.070. — To the Department of Higher Education and Workforce Development
For the A+ Schools Program, provided that any institution with enrolled students receiving such funds shall provide sufficient data to the Department of Higher Education and Workforce Development necessary for the department to submit year-end information which shall be delivered to the General Assembly by the department detailing data about the distribution and utilization of such funds to students, including the number of students who receive a zero award due to federal and other state aid
From A+ Schools Fund (0955)\$61,900,000

SECTION 3.075. — To the Department of Higher Education and Workforce Development

Funds are to be transferred out of the State Treasury to the Fast-Track Workforce Incentive Grant Fund, provided three percent (3%) flexibility is allowed from this section to Section 3.145

From General Revenue Fund (0101)	\$3,700,000
From Lottery Proceeds Fund (0291)	<u>1,000,000</u>
Total	\$4,700,000

SECTION 3.080. — To the Department of Higher Education and Workforce Development

For the Fast-Track Workforce Incentive Grant Program, provided that any Fast-Track Workforce Incentive Grant toward a scholarship at a private four-year institution is limited to not more than the in-state tuition and fees for the University of Missouri-Columbia, and further provided that any Fast-Track Workforce Incentive Grant toward a scholarship at a private two-year institution is limited to not more than the in-state tuition, fees, and charges at a most comparable program at any Missouri two-year public community college or the State Technical College of Missouri

From Fast-Track Workforce Incentive Grant Fund (0488)	\$5,200,000
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SECTION 3.083. — To the Department of Higher Education and Workforce Development

For the purpose of establishing a nursing simulation laboratory facility to enhance and expand nursing education and development opportunities through an online statewide nursing education program

From Budget Stabilization Fund (0522)	\$2,000,000
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SECTION 3.085. — To the Department of Higher Education and Workforce Development

Funds are to be transferred out of the State Treasury to the Dual Credit Scholarship Fund

From General Revenue Fund (0101)	\$7,000,000
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SECTION 3.090. — To the Department of Higher Education and Workforce Development

For providing reimbursements to eligible underserved students pursuant to Section 173.2505 and for providing reimbursement of dual enrollment or outstanding dual credit costs of eligible students participating in coursework pursuant to Section 173.2505

From Dual Credit Scholarship Fund (0541)	\$7,000,000
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SECTION 3.095. — To the Department of Higher Education and Workforce Development

For Advanced Placement grants for Access Missouri Financial Assistance Program and A+ Schools Program recipients

From AP Incentive Grant Fund (0983)	\$100,000
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Matter in bold-face type is proposed language.

SECTION 3.100. — To the Department of Higher Education and Workforce Development	
For the Public Service Officer or Employee Survivor Grant Program pursuant to Section 173.260, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From General Revenue Fund (0101)	\$160,500
SECTION 3.105. — To the Department of Higher Education and Workforce Development	
For the Veterans' Survivors Grant Program pursuant to Section 173.234, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From General Revenue Fund (0101)	\$325,000
SECTION 3.110. — To the Department of Higher Education and Workforce Development	
For the Kids' Chance Scholarship Program pursuant to Chapter 173, RSMo	
From Kids' Chance Scholarship Fund (0878)	\$15,000
SECTION 3.115. — To the Department of Higher Education and Workforce Development	
For the Minority and Underrepresented Environmental Literacy Program pursuant to Section 640.240, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From General Revenue Fund (0101)	\$36,964
SECTION 3.120. — To the Department of Higher Education and Workforce Development	
For the Missouri Guaranteed Student Loan Program, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment	
Personal Service	\$684,646
Expense and Equipment	2,480,564
Default prevention activities	640,000
Payment of fees for collection of defaulted loans	8,000,000
Payment of penalties to the federal government associated with late deposit of default collections	500,000
From Guaranty Agency Operating Fund (0880) (Not to exceed 15.80 F.T.E.)	\$12,305,210
SECTION 3.125. — To the Department of Higher Education and Workforce Development	
Funds are to be transferred out of the State Treasury to the Guaranty Agency Operating Fund	
From Federal Student Loan Reserve Fund (0881)	\$15,000,000

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Matter in bold-face type is proposed language.

SECTION 3.130. — To the Department of Higher Education and Workforce Development	
For purchase of defaulted loans, payment of default aversion fees, reimbursement to the federal government, and investment of funds in the Federal Student Loan Reserve Fund	
From Federal Student Loan Reserve Fund (0881).....	\$120,000,000
SECTION 3.135. — To the Department of Higher Education and Workforce Development	
For the transfer of refunds set off against debt as required by Section 143.786, RSMo	
From Debt Offset Escrow Fund (0753).....	\$500,000
SECTION 3.140. — To the Department of Higher Education and Workforce Development	
Funds are to be transferred out of the State Treasury to the Federal Student Loan Reserve Fund	
From Guaranty Agency Operating Fund (0880).....	\$1,000,000
SECTION 3.145. — To the Department of Higher Education and Workforce Development	
Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund	
From General Revenue Fund (0101)	\$1
SECTION 3.150. — To the Department of Higher Education and Workforce Development	
For the Division of Workforce Development	
For general administration of Workforce Development activities, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$174,263
Expense and Equipment.....	<u>31,329</u>
From General Revenue Fund (0101)	205,592
Personal Service.....	18,899,858
Expense and Equipment.....	<u>3,258,899</u>
From Job Development and Training Fund (0155)	22,158,757
For the Show-Me Heroes Program	
From Show-Me Heroes Fund (0995).....	500,000
For funding for persons with autism through a contract with a Southeast Missouri organization concentrating on the maximization of giftedness, workforce transition skills, independent living skills, and employment	

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Matter in bold-face type is proposed language.

support services, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From General Revenue Fund (0101)	220,000
Total (Not to exceed 343.92 F.T.E.)	\$23,084,349
 *SECTION 3.155. — To the Department of Higher Education and Workforce Development	
For the Certified Work Ready Community Program, provided three percent (3%) flexibility is allowed from this section to Section 3.145	
From General Revenue Fund (0101)	\$100,000
From Department of Higher Education and Workforce Development Federal Emergency Relief Fund (2315)	500,000
For a statewide, competitively-bid virtual education program to provide high school students with career-focused virtual education pathways and industry recognized credentials for in-demand industry sectors	
From General Revenue Fund (0101)	1,459,000
To Missouri State University for the purpose of partnering with a comprehensive math supplement program aligned with Missouri specific standards for grades six math through Algebra II as well as SAT/ACT preparation	
From General Revenue Fund (0101)	4,000,000
For an organization located in a city with more than four hundred thousand inhabitants and located in more than one county to provide education curriculum, training, access to capital, and mentoring	
From General Revenue Fund (0101)	200,000
For an organization located in a city not within a county that provides cost-free education, training and apprenticeships for computer programming	
From General Revenue Fund (0101)	750,000
For an organization providing services in a city not within a county, that facilitates supplemental education programs, job development and training, and community service programs for under-resourced individuals	
From General Revenue Fund (0101)	600,000
For a Pre-Apprenticeship program within any city not within a county to assist minorities and women in the preparation for entry into construction contractor sponsored apprenticeship programs by providing curriculum that teaches core competencies the student will need before applying for a construction position	
From Job Development and Training Fund (0155)	300,000
For a historic local national organization, located within a city with more than four hundred thousand inhabitants and located in more than one county,	

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Matter in bold-face type is proposed language.

which enables disadvantaged persons to obtain self-sufficiency through job training and entrepreneurship	
From Job Development and Training Fund (0155)	100,000
For a Workforce Pre-Apprenticeship training in a city with more than four hundred thousand inhabitants and located in more than one county to assist minorities and women in the preparation for entry into construction contractor sponsored apprenticeship programs by providing curriculum that teaches core competencies the student will need before applying for a construction position	
From Job Development and Training Fund (0155)	600,000
For the purpose of funding a Pre-Apprenticeship program within any city not within a county to assist minorities and women in their preparation for entry into construction contractor sponsored apprenticeship programs by providing curriculum that teaches core competencies the student will need before applying for a construction position	
From Budget Stabilization Fund (0522)	500,000
For a Geospatial training program accredited by the United States Geospatial Intelligence Foundation (USGIF) in Geospatial Intelligence at the high school level and meets the criteria for the Missouri Department of Elementary and Secondary Education industry recognized credential in Geospatial Intelligence at the high school level as outlined by USGIF and located in a city not within a county	
From Budget Stabilization Fund (0522)	5,000,000
For a comprehensive counseling and solution generation service that focuses on a multi-year journey for high school students from initial training to full-time employment with pre-identified entry level jobs that drive the program's training while earning a degree relating to information technology. This service is designed to assist with environmental hurdles and with students receiving accredited course credit from institutions of higher education in the state of Missouri. Includes a multi-year, wrap around support infrastructure for each student that extends from the student's acceptance into the program through full time employment and continues until the student completes a degree, if so requested by the program participant, also known as HyperCare.	
From Budget Stabilization Fund (0522)	1,000,000
For job training and related activities	
From Department of Higher Education and Workforce Development Federal Stimulus Fund (2310)	630,000
From Department of Higher Education and Workforce Development Federal Emergency Relief Fund (2315)	85,500
From Job Development and Training Fund (0155)	66,595,665
From Special Employment Security Fund (0949)	1,000,000

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Matter in bold-face type is proposed language.

For a nonprofit organization located in a city not within a county that provides youth and their family with mentorship as well as virtual or in-person educational opportunities relating to college preparedness, workforce development, and character preparation to foster academic success	
From General Revenue Fund (0101)	41,835
For administration of programs authorized and funded by the United States Department of Labor, such as Trade Adjustment Assistance (TAA), and provided that all funds shall be expended from discrete accounts and that no monies shall be expended for funding administration of these programs by the Division of Workforce Development	
From Job Development and Training Fund (0155)	8,000,000
For an organization that provides cost-free digital skills training, reentry services, and provides workforce development and employment services in western Missouri located in the following counties: a county with more than seven hundred thousand but fewer than eight hundred thousand inhabitants, a county with more than two hundred thirty thousand but fewer than two hundred sixty thousand inhabitants, and a county with more than eighty thousand but fewer than one hundred thousand inhabitants and with a county seat with more than seventy thousand but fewer than eighty thousand inhabitants	
From Budget Stabilization Fund (0522)	1,000,000
For a 501(c)(3) located in a city not within a county that provides education and job skills development for strengthening students' economic understanding of capitalism and ability to participate and succeed in a capitalist economy	
From Job Development and Training Fund (0155)	112,500
Total	\$92,574,500

*I hereby veto \$4,000,000 general revenue to Missouri State University (MSU) for a statewide math supplement program for secondary education. This appropriation provides funding for math programming for students Grade 6 through Algebra II, but is appropriated to the Missouri Department of Higher Education and Workforce Development (DHEWD) through Missouri State University (MSU). DHEWD is responsible for oversight of post-secondary education and does not have the same role and responsibility as the Department of Elementary and Secondary Education (DESE) with regard to curriculum adhering to the Missouri Learning Standards. Such programs should be administered through DESE rather than DHEWD. Both DESE and DHEWD are subject to state contracting laws in Chapter 34, RSMo, while MSU is exempt from such laws under Section 34.010, RSMo. If approved, this appropriation would have granted funds to an entity subject to Chapter 34 with directions to transfer the funds to an entity not subject to Chapter 34, thereby intentionally avoiding and circumventing state purchasing laws. An expenditure of this magnitude for a contract related to students in grades 6-12 should follow the state procurement laws and should be appropriated to the state department that has responsibility regarding secondary education, especially for a program that would be expected to receive ongoing state financial support. Additionally, the General Assembly did approve funding for DESE to provide additional

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math programing through their allocation of ESSER III funds received from the federal government. This line item would have been duplicative of that program.

To Missouri State University for the purpose of partnering with a comprehensive math supplement.

From \$4,000,000 to \$0 from General Revenue Fund.

I hereby veto \$112,500 Job Development and Training Fund for an education and job skills development program. This earmark was not included in my budget recommendations and would leave the state unable to fully fund existing workforce programs that are currently creating jobs, helping individuals with job placement, and supporting measurable skills gains across the state. Further, the federal Workforce Innovation and Opportunity Act has strict reporting requirements, and the costs of such reporting would likely exceed the value of this earmark.

For a 501(c)(3) located in a city not within a county that provides education and job skills development for strengthening students' economic understanding of capitalism and ability to participate and succeed in a capitalist economy.

From \$112,500 to \$0 from Job Development and Training Fund.

From \$92,574,500 to \$88,462,000 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 3.160. — To the Missouri University of Science and Technology

For phased expansion of Project Lead the Way in ten (10) southern Missouri counties, provided this funding serves as state match for federal funding, and provides pilot support for Project Lead the Way in a city with more than one thousand nine hundred but fewer than two thousand one hundred fifty inhabitants and that is the county seat of a county with more than twenty-two thousand but fewer than twenty-five thousand inhabitants and a county with more than thirty-five thousand but fewer than forty thousand inhabitants and with a county seat with more than five thousand but fewer than eight thousand inhabitants in affiliation with Missouri University of Science and Technology

From General Revenue Fund (0101) \$250,000

SECTION 3.163. — To the Department of Higher Education and Workforce Development

For distribution to institutions of higher education and State Technical College for reimbursement of employer contributions to the Missouri State Employees' Retirement System (MOSERS) for only that portion of any employer contributions that correspond to the difference between the actual contribution rate and 23.51% for the fiscal year beginning July 1, 2022

From General Revenue Fund (0101) \$11,000,000

SECTION 3.200. — To the Department of Higher Education and Workforce Development

For distribution to community colleges as provided in Section 163.191, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 3.145

From General Revenue Fund (0101)\$146,932,598
 From Lottery Proceeds Fund (0291) 10,489,991

For distribution to community colleges for the purpose of equity adjustments

From General Revenue Fund (0101) 10,044,016

For maintenance and repair at community colleges, local matching funds must be provided on a 50/50 state/local match rate in order to be eligible for state funds

From General Revenue Fund (0101)4,396,718

For the payment of refunds set off against debt as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753) 3,000,000
 Total.....\$174,863,323

SECTION 3.205. — To the State Technical College of Missouri, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$7,927,794
 From Lottery Proceeds Fund (0291) 536,217

For the payment of refunds set off against debt as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753) 30,000
 Total.....\$8,494,011

SECTION 3.210. — To the University of Central Missouri, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$54,435,104
 From Lottery Proceeds Fund (0291) 6,050,959

For the payment of refunds set off against debt as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753) 225,000
 Total.....\$60,711,063

SECTION 3.215. — To Southeast Missouri State University, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$45,210,410
 From Lottery Proceeds Fund (0291) 4,935,757

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 Matter in bold-face type is proposed language.

For the payment of refunds set off against debt as required by Section 143.786,

RSMo

From Debt Offset Escrow Fund (0753)..... 225,000

Total.....\$50,371,167

SECTION 3.220. — To Missouri State University, provided three percent (3%)

flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$93,072,851

From Lottery Proceeds Fund (0291)..... 9,670,119

For the payment of refunds set off against debt as required by Section 143.786,

RSMo

From Debt Offset Escrow Fund (0753)..... 500,000

Total.....\$103,242,970

SECTION 3.225. — To Lincoln University, provided three percent (3%)

flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$17,408,467

From Lottery Proceeds Fund (0291)..... 1,814,072

For the purpose of funding the federal match requirement in the areas of

agriculture extension and/or research

From General Revenue Fund (0101) 9,761,158

For the payment of refunds set off against debt as required by Section 143.786,

RSMo

From Debt Offset Escrow Fund (0753)..... 200,000

Total.....\$29,183,697

SECTION 3.230. — To Truman State University, provided three percent (3%)

flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$40,958,484

From Lottery Proceeds Fund (0291)..... 4,576,165

For the payment of refunds set off against debt as required by Section 143.786,

RSMo

From Debt Offset Escrow Fund (0753)..... 200,000

Total.....\$45,734,649

SECTION 3.235. — To Northwest Missouri State University, provided three

percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)\$30,743,623

From Lottery Proceeds Fund (0291)..... 3,342,740

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For the payment of refunds set off against debt as required by Section 143.786,
RSMo

From Debt Offset Escrow Fund (0753).....	250,000
Total.....	\$34,336,363

***SECTION 3.240.** — To Missouri Southern State University, provided three percent (3%) flexibility is allowed from this section to Section 3.145
All Expenditures

From General Revenue Fund (0101)	\$25,942,588
From Lottery Proceeds Fund (0291).....	2,431,511

For a statewide program designed to increase collaboration and workforce opportunities via industry partnership in precision health and agricultural sciences

From General Revenue Fund (0101)	2,300,000
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For the payment of refunds set off against debt as required by Section 143.786,
RSMo

From Debt Offset Escrow Fund (0753).....	200,000
Total.....	\$30,874,099

*I hereby veto \$2,300,000 general revenue to Missouri Southern State University (MSSU) for a statewide precision health and agricultural sciences program. This appropriation provides funding for collaboration opportunities with an industry partnership in biological sciences in order to provide services to K-12 students, but it is appropriated to the Missouri Department of Higher Education and Workforce Development (DHEWD) through Missouri Southern State University (MSSU) for purposes of contracting with a vendor to provide services related to K-12 students. DHEWD is responsible for oversight of post-secondary education and does not have the same role and responsibility as the Department of Elementary and Secondary Education (DESE) with regard to programming for K-12 students. Such programs should be administered through DESE. Both DESE and DHEWD are subject to state purchasing laws under Chapter 34, RSMo, while MSSU is exempt from such laws under Section 34.010, RSMo. If approved, this appropriation would have granted funds to an entity subject to Chapter 34 with directions to transfer the funds to an entity not subject to Chapter 34, thereby intentionally avoiding and circumventing state purchasing laws. An expenditure of this magnitude for services related to K-12 students should follow the state contracting laws and should be appropriated to a state entity that has responsibilities regarding education of K-12 students.

For a statewide program designed to increase collaboration and workforce opportunities via industry partnership in precision health and agricultural sciences.

From \$2,300,000 to \$0 from General Revenue Fund

From \$30,874,099 to \$28,574,099 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 3.245. — To Missouri Western State University, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)	\$21,921,332
From Lottery Proceeds Fund (0291).....	2,394,327

For the payment of refunds set off against debt as required by Section 143.786,
RSMo

From Debt Offset Escrow Fund (0753).....	325,000
Total.....	\$24,640,659

SECTION 3.250. — To Harris-Stowe State University, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101)	\$10,285,158
From Lottery Proceeds Fund (0291).....	1,148,979

For the design and implementation of the Urban Policing Program to provide students real world law enforcement practice and de-escalation and anti-bias training for officers throughout Missouri

From General Revenue Fund (0101)	500,000
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For a program to provide training and education on entrepreneurship and entrepreneurial skills

From Economic Development Advancement Fund (0783).....	500,000
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For the payment of refunds set off against debt as required by Section 143.786,
RSMo

From Debt Offset Escrow Fund (0753).....	200,000
Total.....	\$12,634,137

***SECTION 3.255.** — To the University of Missouri

For operation of its various campuses and programs

All Expenditures

From General Revenue Fund (0101)	\$216,114,049
From Lottery Proceeds Fund (0291).....	46,842,748

For the purpose of funding the federal match requirement and the statewide operations in the areas of the Agricultural Extension Service

From General Revenue Fund (0101)	27,500,000
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For the purpose of delivering first professional doctorate degrees in Medicine, Veterinary Medicine, Dentistry, Pharmacy and Optometry

From General Revenue Fund (0101)	94,700,000
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For research and development operations of the State's public research university

From General Revenue Fund (0101)	74,800,000
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For the Greenley Research Center for research related to the "Water Works for Agriculture in Missouri" initiative	
From General Revenue Fund (0101)	275,000
For the Fisher Delta Research Center	
From General Revenue Fund (0101)	1,000,000
For the University of Missouri School of Law Veterans Clinic	
From General Revenue Fund (0101)	325,000
For the University of Missouri School of Law Family Violence and Criminal Prosecution Clinic	
From General Revenue Fund (0101)	400,000
For the Fisher Delta Research Center for the Rice Breeders Association	
From General Revenue Fund (0101)	120,000
For the Graves-Chapple Extension and Education Center	
From General Revenue Fund (0101)	400,000
For the payment of refunds set off against debt as required by Section 143.786, RSMo	
From Debt Offset Escrow Fund (0753)	1,400,000
Total	\$463,876,797

*I hereby veto \$400,000 general revenue for the University of Missouri School of Law Family Violence and Criminal Prosecution Clinic. This funding provides for additional faculty at the University of Missouri School of Law, which is the responsibility of the University of Missouri's core budget. The budget approved by the General Assembly for the University of Missouri included a 5.4 percent increase this fiscal year, totaling over \$23.3 million. This appropriation further provided funding for the faculty as a one-time state expense, whereas staffing is an ongoing cost and could jeopardize the program's future sustainability leading to job losses if the funding were not to be provided in the future.

For the University of Missouri School of Law Family Violence and Criminal Prosecution Clinic.
 From \$400,000 to \$0 from General Revenue Fund.
 From \$463,876,797 to \$463,476,797 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 3.260. — To the University of Missouri

For a program designed to increase international collaboration and economic opportunity located at the University of Missouri - St. Louis

From General Revenue Fund (0101)	\$550,000
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For matching funds for a federal grant for a center located at the University of Missouri - St. Louis to assist startups in developing defense medicine technologies to meet the needs of U.S. military and security forces
 From General Revenue Fund (0101) 600,000

For matching funds for a federal grant for a center located at the University of Missouri - St. Louis to promote prevention, cure, and recovery from outbreaks of infectious disease and other health-related crises
 From General Revenue Fund (0101) 250,000
 Total..... \$1,400,000

SECTION 3.265. — To the University of Missouri

For the Missouri Telehealth Network, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101) \$437,640

For the purpose of creating and implementing up to eight (8) Extension for Community Healthcare Outcomes Programs. Four (4) of the programs shall focus on Hepatitis, Diabetes, Chronic Pain Management, and Childhood Asthma

From General Revenue Fund (0101) 1,500,000
 Total..... \$1,937,640

SECTION 3.270. — To the University of Missouri

For a program of research into spinal cord injuries

All Expenditures

From Spinal Cord Injury Fund (0578)..... \$1,500,000

SECTION 3.275. — To the University of Missouri

For the treatment of renal disease in a statewide program, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101) \$1,750,000

SECTION 3.280. — To the University of Missouri

For the State Historical Society, provided three percent (3%) flexibility is allowed from this section to Section 3.145

All Expenditures

From General Revenue Fund (0101) \$3,901,128

SECTION 3.285. — To the Board of Curators of the University of Missouri

For use by the University of Missouri pursuant to Sections 172.610 through 172.720, RSMo

From State Seminary Moneys Fund (0623) \$275,000

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PART 2

SECTION 3.300. — To the Department of Higher Education and Workforce Development and public institutions of higher education
 In reference to all sections in Part 1 of this act:
 No funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students.

SECTION 3.305. — To the Department of Higher Education and Workforce Development and public institutions of higher education
 In reference to all sections in Part 1 of this act:
 No scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

SECTION 3.310. — To the Department of Higher Education and Workforce Development and public institutions of higher education
 In reference to all sections in Part 1 of this act:
 No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3

SECTION 3.400. — To the Department of Higher Education and Workforce Development

Appendix of One-time Appropriations

Section	Line	Amount	T.E. Amount
3.005	9	\$169,363	0
3.010	7	\$8,000,000	0
3.010	18	\$450,000	0
3.015	5	\$31,496,061	0
3.020	6	\$100	0
3.083	7	\$2,000,000	0
3.120	7	\$49	0
3.150	8	\$13,030	0
3.150	11	\$1,500	0
3.155	18	\$4,000,000	0
3.155	27	\$250,000	0
3.155	32	\$600,000	0

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3.155	57	\$500,000	0
3.155	78	\$1,000,000	0
3.155	81	\$630,000	0
3.155	109	\$1,000,000	0
3.163	9	\$11,000,000	0
3.200	6	\$10,000,000	0
3.255	9	\$5,000,000	0
3.255	26	\$400,000	0
3.255	30	\$400,000	0
3.280	5	\$120,000	0

Bill Totals

General Revenue Fund.....	\$1,084,595,976
Federal Funds.....	149,528,483
Other Funds.....	291,486,460
Total.....	\$1,525,610,919

Approved June 30, 2022

CCS SCS HCS HB 3004

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated, for the period beginning July 1, 2022, and ending June 30, 2023, as follows:

PART 1

SECTION 4.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and

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Matter in bold-face type is proposed language.

from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 4.005. — To the Department of Revenue

For collecting highway related fees and taxes, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between Sections 4.005, 4.010, 4.015, 4.020, and 4.025, and three percent (3%) flexibility is allowed from this section to Section 4.170

Personal Service.....	\$8,227,089
Annual salary adjustment in accordance with Section 105.005, RSMo.....	6,465
Expense and Equipment.....	<u>2,758,482</u>
From General Revenue Fund (0101)	10,992,036
Personal Service.....	9,800,848
Annual salary adjustment in accordance with Section 105.005, RSMo.....	904
Expense and Equipment.....	<u>7,756,703</u>
From State Highways and Transportation Department Fund (0644)	17,558,455

For a new motor vehicle and driver licensing computer system, including design and procurement analysis, provided three percent (3%) flexibility is allowed from this section to Section 4.170

Personal Service	
From General Revenue Fund (0101)	204,128
From Motor Vehicle Administration Technology Fund (0696)	<u>613,759</u>
Total (Not to exceed 468.59 F.T.E.)	\$29,368,378

SECTION 4.010. — To the Department of Revenue

For the Division of Taxation, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between Sections 4.005, 4.010, 4.015, 4.020, and 4.025, and three percent (3%) flexibility is allowed from this section to Section 4.170

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Personal Service.....	\$22,507,536
Expense and Equipment.....	<u>8,600,277</u>
From General Revenue Fund (0101)	31,107,813
Personal Service.....	34,380
Expense and Equipment.....	<u>1,071</u>
From Petroleum Storage Tank Insurance Fund (0585).....	35,451
Personal Service.....	42,818
Expense and Equipment.....	<u>2,818</u>
From Petroleum Inspection Fund (0662).....	45,636
Personal Service.....	64,072
Expense and Equipment.....	<u>4,163</u>
From Health Initiatives Fund (0275).....	68,235
Personal Service.....	715,451
Expense and Equipment.....	<u>8,277</u>
From Conservation Commission Fund (0609)	723,728
For organizational dues, provided three percent (3%) flexibility is allowed from this section to Section 4.170	
From General Revenue Fund (0101)	212,401
For the integrated tax system, provided three percent (3%) flexibility is allowed from this section to Section 4.170	
Expense and Equipment	
From General Revenue Fund (0101)	7,500,000
From Missouri Veterans' Health and Care Fund (0606)	<u>150,000</u>
Total (Not to exceed 514.00 F.T.E.)	\$39,843,264

SECTION 4.015. — To the Department of Revenue

For the Division of Motor Vehicle and Driver Licensing, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between Sections 4.005, 4.010, 4.015, 4.020, and 4.025, and three percent (3%) flexibility is allowed from this section to Section 4.170

Personal Service.....	\$464,012
Expense and Equipment.....	<u>380,232</u>
From General Revenue Fund (0101)	844,244
Personal Service.....	3,155
Expense and Equipment.....	<u>160,776</u>
From Department of Revenue - Federal Fund (0132)	163,931
Personal Service.....	245,335
Expense and Equipment.....	<u>245,840</u>
From Motor Vehicle Commission Fund (0588).....	491,175

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Matter in bold-face type is proposed language.

Personal Service.....	7,864
Expense and Equipment.....	<u>9,953</u>
From Department of Revenue Specialty Plate Fund (0775).....	<u>17,817</u>
Total (Not to exceed 32.05 F.T.E.)	\$1,517,167

SECTION 4.020. — To the Department of Revenue

For the Division of Legal Services, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between Sections 4.005, 4.010, 4.015, 4.020, and 4.025, and three percent (3%) flexibility is allowed from this section to Section 4.170

Personal Service.....	\$2,319,896
Expense and Equipment.....	<u>152,504</u>
From General Revenue Fund (0101)	2,472,400

Personal Service.....	242,526
Expense and Equipment.....	<u>211,427</u>
From Department of Revenue - Federal Fund (0132)	453,953

Personal Service.....	499,853
Expense and Equipment.....	<u>28,118</u>
From Motor Vehicle Commission Fund (0588)	527,971

Personal Service.....	47,333
Expense and Equipment.....	<u>3,323</u>
From Tobacco Control Special Fund (0984).....	<u>50,656</u>
Total (Not to exceed 62.80 F.T.E.)	\$3,504,980

SECTION 4.025. — To the Department of Revenue

For the Division of Administration, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between Sections 4.005, 4.010, 4.015, 4.020, and 4.025, and three percent (3%) flexibility is allowed from this section to Section 4.170

Personal Service.....	\$1,519,152
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1,459
Expense and Equipment.....	<u>319,025</u>
From General Revenue Fund (0101)	1,839,636

Personal Service.....	64,313
Expense and Equipment.....	<u>3,470,006</u>
From Department of Revenue - Federal Fund (0132)	3,534,319

Personal Service.....	30,529
Expense and Equipment.....	<u>1,462,900</u>
From Child Support Enforcement Fund (0169).....	1,493,429

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Matter in bold-face type is proposed language.

For postage, provided three percent (3%) flexibility is allowed from this section
to Section 4.170

Expense and Equipment

From General Revenue Fund (0101)	3,233,571
From Health Initiatives Fund (0275).....	5,373
From Motor Vehicle Commission Fund (0588).....	44,029
From Conservation Commission Fund (0609)	1,343
Total (Not to exceed 41.11 F.T.E.)	\$10,151,700

SECTION 4.027. — To the Department of Revenue

For distribution to any political subdivision(s) to offset tax credits awarded by
the state of Missouri for property taxes levied on qualified rolling stock

From General Revenue Fund (0101)	\$200,000
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SECTION 4.030. — To the Department of Revenue

For distribution to port authorities to expand, develop, and redevelop advanced
industrial manufacturing zones including the satisfaction of bonds,
managerial, engineering, legal, research, promotion, and planning expenses

From Port Authority AIM Zone Fund (0583)	\$500,000
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SECTION 4.035. — To the Department of Revenue

For fees to counties as a result of delinquent collections made by circuit attorneys
or prosecuting attorneys and payment of collection agency fees

From General Revenue Fund (0101)	\$2,900,000
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SECTION 4.040. — To the Department of Revenue

For fees to counties for the filing of lien notices and lien releases

From General Revenue Fund (0101)	\$200,000
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SECTION 4.045. — To the Department of Revenue

For distribution to cities and counties of all funds accruing to the Motor Fuel Tax
Fund under the provisions of Sections 30(a) and 30(b), Article IV, of the
Constitution of Missouri

From Motor Fuel Tax Fund (0673).....	\$244,208,290
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SECTION 4.050. — To the Department of Revenue

For distribution of emblem use fee contributions collected for specialty plates

From General Revenue Fund (0101)	\$34,100
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SECTION 4.055. — To the Department of Revenue

For refunds for overpayment or erroneous payment of any tax or any payment
credited to the General Revenue Fund

From General Revenue Fund (0101)	\$1,684,000,000
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SECTION 4.060. — To the Department of Revenue

For refunds for overpayment or erroneous payment of any tax or any payment
credited to Federal and Other Funds

From Federal and Other Funds (Various).....	\$50,000
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Matter in bold-face type is proposed language.

SECTION 4.065. — To the Department of Revenue

For refunds for any overpayment or erroneous payments of any tax or fee
credited to the State Highways and Transportation Department Fund
From State Highways and Transportation Department Fund (0644) \$1,200,000

SECTION 4.070. — To the Department of Revenue

For refunds for any overpayment or erroneous payment of any amount credited
to the Aviation Trust Fund
From Aviation Trust Fund (0952)..... \$50,000

SECTION 4.075. — To the Department of Revenue

For refunds and distributions of motor fuel taxes
From State Highways and Transportation Department Fund (0644) \$38,231,618

SECTION 4.080. — To the Department of Revenue

For refunds for overpayment or erroneous payment of any tax or any payment
credited to the Workers' Compensation Fund
From Workers' Compensation Fund (0652)..... \$2,000,000

SECTION 4.085. — To the Department of Revenue

For refunds for overpayment or erroneous payment of any tax or any payment
for tobacco taxes
From Health Initiatives Fund (0275)..... \$125,000
From State School Moneys Fund (0616)..... 25,000
From Fair Share Fund (0687) 11,000
Total..... \$161,000

SECTION 4.090. — To the Department of Revenue

For apportionments to the several counties and the City of St. Louis to offset
credits taken against the County Stock Insurance Tax
From General Revenue Fund (0101) \$135,700

SECTION 4.095. — To the Department of Revenue

For tax delinquencies set off by tax credits
From General Revenue Fund (0101) \$150,000

SECTION 4.100. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the Debt Offset
Escrow Fund in such amounts as may be necessary to make payments of
refunds set off against debts as required by Section 143.786, RSMo
From General Revenue Fund (0101) \$19,657,384

SECTION 4.105. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the Circuit Courts
Escrow Fund in such amounts as may be necessary to make payments of
refunds set off against debts as required by Section 488.020(3), RSMo
From General Revenue Fund (0101) \$4,074,458

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SECTION 4.110. — To the Department of Revenue

For refunds set off against debts as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753).....\$1,339,119

SECTION 4.115. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From School District Trust Fund (0688)\$2,500,000

SECTION 4.120. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the General Revenue

Fund in the amount of sixty-six hundredths percent of the funds received

From Parks Sales Tax Fund (0613).....\$375,000

SECTION 4.125. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the General Revenue

Fund in the amount of sixty-six hundredths percent of the funds received

From Soil and Water Sales Tax Fund (0614).....\$375,000

SECTION 4.130. — To the Department of Revenue

Funds are to be transferred out of the State Treasury for amounts from income tax refunds designated by taxpayers for deposit in various income tax check-off funds

From General Revenue Fund (0101)\$471,000

SECTION 4.135. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the General Revenue

Fund for amounts from income tax refunds erroneously deposited to various funds

From Other Funds (Various)\$13,669

SECTION 4.140. — To the Department of Revenue

For distribution from the various income tax check-off charitable trust funds

From Other Funds (Various)\$50,000

SECTION 4.145. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the State Highways and Transportation Department Fund

From Department of Revenue Information Fund (0619).....\$1,250,000

SECTION 4.150. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the State Highways and Transportation Department Fund

From Motor Fuel Tax Fund (0673).....\$749,539,940

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SECTION 4.155. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the State Highways
and Transportation Department Fund

From Department of Revenue Specialty Plate Fund (0775) \$20,000

SECTION 4.160. — To the Department of Revenue

For the State Tax Commission, provided ten percent (10%) flexibility is allowed
between personal service and expense and equipment and three percent (3%)
flexibility is allowed from this section to Section 4.170

Personal Service \$2,417,268

Annual salary adjustment in accordance with Section 105.005, RSMo 22,622

Expense and Equipment 171,444

From General Revenue Fund (0101) 2,611,334

For the Productive Capability of Agricultural and Horticultural Land Use Study,
provided three percent (3%) flexibility is allowed from this section to
Section 4.170

Expense and Equipment

From General Revenue Fund (0101) 3,798

Total (Not to exceed 37.00 F.T.E.) \$2,615,132

SECTION 4.165. — To the Department of Revenue

For the state's share of the costs and expenses incurred pursuant to an approved
assessment and equalization maintenance plan as provided by Chapter 137,
RSMo

From General Revenue Fund (0101) \$11,155,433

SECTION 4.170. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the State Legal
Expense Fund for the payment of claims, premiums, and expenses as
provided by Section 105.711 through 105.726, RSMo

From General Revenue Fund (0101) \$1

SECTION 4.175. — To the Department of Revenue

For the State Lottery Commission, provided ten percent (10%) flexibility is
allowed between personal service and expense and equipment and all
moneys received by the State Lottery Commission from the sale of Missouri
lottery tickets and from all other sources shall be deposited in the State
Lottery Fund, pursuant to Article III, Section 39(b) of the Missouri
Constitution

Personal Service, excluding any purposes for which appropriations have
been made elsewhere in this section \$8,076,065

Expense and Equipment, excluding any purposes for which appropriations
have been made elsewhere in this section 6,963,803

For payments to vendors for costs of the design, manufacture, licensing, leasing,
processing, and delivery of games administered by the State Lottery

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Commission, excluding any purposes for which appropriations have been made elsewhere in this section.....	29,371,477
For payments to vendors for costs of the design, manufacture, licensing, leasing, processing, and delivery of no more than 500 video pull tab machines with a maximum of six machines per location, excluding any purposes for which appropriations have been made elsewhere in this section.....	9,194,385
For advertising expenses.....	400,000
For sponsorships or promotions	1
For responsible gaming messaging.....	400,000
From Lottery Enterprise Fund (0657) (Not to exceed 153.50 F.T.E.)	\$54,405,731

SECTION 4.180. — To the Department of Revenue

For the State Lottery Commission

For the payment of prizes

From State Lottery Fund (0682).....\$174,075,218

SECTION 4.185. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the Lottery Enterprise Fund

From State Lottery Fund (0682).....\$71,093,014

SECTION 4.190. — To the Department of Revenue

Funds are to be transferred out of the State Treasury to the Lottery Proceeds Fund

From State Lottery Fund (0682).....\$390,043,875

SECTION 4.400. — To the Department of Transportation

For the Highways and Transportation Commission and Highway Program

Administration, provided twenty percent (20%) flexibility is allowed between Sections 4.400, 4.425, 4.450, 4.460 and 4.475

Personal Service.....\$21,146,543

Expense and Equipment.....6,359,448

From State Road Fund (0320).....27,505,991

For organizational dues

From Multimodal Operations Federal Fund (0126) 5,000

From State Road Fund (0320) 70,000

From Railroad Expense Fund (0659)..... 5,000

Total (Not to exceed 346.57 F.T.E.)\$27,585,991

SECTION 4.405. — To the Department of Transportation

For payment of the state's contribution to the Missouri Department of Transportation and Highway Patrol Employees' Retirement System,

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provided fifty percent (50%) flexibility is allowed between Sections 4.405, 4.410, 4.415 and 4.420

Personal Service

From Multimodal Operations Federal Fund (0126)	\$207,717
From Department of Transportation - Highway Safety Fund (0149).....	263,474
From State Road Fund (0320).....	163,455,410
From Railroad Expense Fund (0659).....	309,303
From State Transportation Fund (0675)	106,058
From Aviation Trust Fund (0952).....	331,096
Total.....	\$164,673,058

SECTION 4.410. — To the Department of Transportation

For payment of the state's contribution for medical insurance, life insurance and Employee Assistance Program benefits for active Missouri Department of Transportation employees, provided fifty percent (50%) flexibility is allowed between Sections 4.405, 4.410, 4.415 and 4.420

Personal Service

From Multimodal Operations Federal Fund (0126)	\$55,030
From Department of Transportation - Highway Safety Fund (0149).....	63,654
From Railroad Expense Fund (0659).....	88,560
From State Transportation Fund (0675)	27,091
From Aviation Trust Fund (0952).....	90,918

Personal Service..... 54,457,338

Expense and Equipment..... 79,370

From State Road Fund (0320)..... 54,536,708

Total..... \$54,861,961

SECTION 4.415. — To the Department of Transportation

For payment of the state's contribution for medical and life insurance benefits for retired Missouri Department of Transportation employees, provided fifty percent (50%) flexibility is allowed between Sections 4.405, 4.410, 4.415 and 4.420

Expense and Equipment

From State Road Fund (0320)..... \$18,629,968

SECTION 4.420. — To the Department of Transportation

For the provision of workers' compensation benefits to Missouri Department of Transportation employees, provided fifty percent (50%) flexibility is allowed between Sections 4.405, 4.410, 4.415 and 4.420

Expense and Equipment

From State Road Fund (0320)..... \$8,191,671

SECTION 4.425. — To the Department of Transportation

For the Construction Program

To pay the cost of reimbursing counties and other political subdivisions for the acquisition of roads and bridges taken over by the state as permanent

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parts of the state highway system and for the costs of locating, relocating, establishing, acquiring, constructing, reconstructing, widening, and improving those highways, bridges, tunnels, parkways, travelways, tourways, and coordinated facilities authorized under Article IV, Section 30(b) of the Constitution of Missouri and for acquiring materials, equipment, and buildings necessary for such purposes and for other purposes and contingencies relating to the location and construction of highways and bridges and to expend funds from the United States Government for like purposes, provided twenty percent (20%) flexibility is allowed between Sections 4.400, 4.425, 4.450, 4.460 and 4.475

Personal Service.....	\$81,754,475
Expense and Equipment.....	27,918,023
Construction	<u>1,554,408,000</u>
From State Road Fund (0320)	1,664,080,498

For all expenditures associated with paying outstanding state road bond debt, provided fifty percent (50%) flexibility is allowed between the State Road Fund and State Road Bond Fund

From State Road Fund (0320)	117,388,981
From State Road Bond Fund (0319).....	<u>201,259,881</u>
Total (Not to exceed 1,414.43 F.T.E.)	\$1,982,729,360

SECTION 4.430. — To the Department of Transportation

There is transferred out of the State Treasury, chargeable to the General Revenue Fund, such amount as may be necessary to pay the debt service for state road bonds issued by the state Highways and Transportation Commission with a term not to exceed seven years and annual debt service not to exceed \$45,550,000, payable in accordance with a financing agreement between the Commission and the Office of Administration, with the state road bonds issued with respect to said financing agreement not to exceed \$301,000,000 of costs to plan, design, construct, reconstruct, rehabilitate, and make significant repairs to bridges on the state highway system under the Commission's five-year Statewide Transportation Improvement Program, to be deposited into the State Road Fund

From General Revenue Fund (0101)	\$45,550,000
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SECTION 4.435. — To the Department of Transportation

For all expenditures associated with paying debt service of outstanding state road bonds issued by the state Highways and Transportation Commission pursuant to a financing agreement between the Commission and the Office of Administration related to the planning, designing, construction, reconstruction, rehabilitation, and significant repair of 215 bridges on the state highway system under the Commission's five-year Statewide Transportation Improvement Program

From State Road Fund (0320)	\$45,550,000
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SECTION 4.440. — To the Department of Transportation

For all expenditures associated with the planning, designing, construction, reconstruction, rehabilitation, and significant repair of 215 bridges on the state highway system under the Commission's five-year Statewide Transportation Improvement Program to be funded from state road bond proceeds, provided fifty percent (50%) flexibility is allowed between line items in this section

Personal Service.....	\$4,339,860
Fringe Benefits	4,558,404
Expense and Equipment.....	<u>120,781,190</u>
From State Road Fund (0320).....	\$129,679,454

SECTION 4.445. — To the Department of Transportation

For the unexpended balance available as of June 30, 2022, but not to exceed \$23,717,590 for a transportation cost-share program with local communities, provided these funds shall not supplant, and shall only supplement, the current planned allocation of road and bridge expenditures under the most recently adopted state transportation and improvement plan, including all amendments thereto, as of the date of passage of this bill by the General Assembly, and provided the Department of Transportation and the Department of Economic Development work cooperatively to select projects with the greatest economic benefit to the state, representing expenditures originally authorized under the provisions of House Bill 4, Section 4.430, an Act of the 100th General Assembly, First Regular Session

From General Revenue Fund (0101)	\$23,717,590
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For a transportation cost-share program with local communities, provided these funds shall not supplant, and shall only supplement, the current planned allocation of road and bridge expenditures under the most recently adopted state transportation and improvement plan, including all amendments thereto, as of the date of passage of this bill by the General Assembly, and provided the Department of Transportation and the Department of Economic Development work cooperatively to select projects with the greatest economic benefit to the state

From Budget Stabilization Fund (0522)	<u>75,000,000</u>
Total.....	\$98,717,590

SECTION 4.450. — To the Department of Transportation

For the Maintenance Program

For preserving and maintaining the state system of roads and bridges and coordinated facilities authorized under Article IV, Section 30(b) of the Constitution of Missouri and for acquiring materials, equipment, and buildings necessary for such purposes and for other purposes and contingencies related to the preservation, maintenance, and safety of highways and bridges, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and twenty percent

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(20%) flexibility is allowed between Sections 4.400, 4.425, 4.450, 4.460 and 4.475	
Personal Service.....	\$453,870
Expense and Equipment.....	55,384
From Department of Transportation - Highway Safety Fund (0149).....	509,254
Personal Service.....	163,862,677
Expense and Equipment.....	253,488,236
From State Road Fund (0320).....	417,350,913
Expense and Equipment	
From Motorcycle Safety Trust Fund (0246)	250,000
For the maintenance and repair of low-volume routes	
From Budget Stabilization Fund (0522)	100,000,000
For allotments, grants, and contributions from grants of National Highway Safety Act moneys for vehicle checkpoints where motorists may be detained without individualized reasonable suspicion, and related administrative expenses.....	
	1
For allotments, grants, and contributions from grants of National Highway Safety Act moneys for highway safety education and enforcement programs and their related administrative expenses, excluding expenses related to vehicle checkpoints where motorists may be detained without individualized reasonable suspicion.....	
	21,999,999
From Department of Transportation - Highway Safety Fund (0149).....	22,000,000
For the Motor Carrier Safety Assistance Program	
From Motor Carrier Safety Assistance Program/Division of Transportation - Federal Fund (0185)	5,500,000
Total (Not to exceed 3,539.94 F.T.E.)	\$545,610,167
Section 4.455. — To the Department of Transportation	
Funds are to be transferred out of the State Treasury to the State Road Fund	
From Missouri Medal of Honor Recipients Fund (0401)	\$250,000

SECTION 4.460. — To the Department of Transportation

For Fleet, Facilities, and Information Systems

For constructing, preserving, and maintaining the state system of roads and bridges and coordinated facilities authorized under Article IV, Section 30(b) of the Constitution of Missouri and for acquiring materials, equipment, and buildings necessary for such purposes and for other purposes and contingencies related to the construction, preservation, and maintenance of highways and bridges, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and twenty percent (20%) flexibility is allowed between Sections 4.400, 4.425, 4.450, 4.460 and 4.475

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Personal Service.....	\$13,142,671
Expense and Equipment.....	<u>88,298,000</u>
From State Road Fund (0320) (Not to exceed 272.25 F.T.E.).....	\$101,440,671

SECTION 4.465. — To the Department of Transportation

For refunding any tax or fee credited to the State Highways and Transportation

Department Fund	\$1,000,000
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For refunds and distributions of motor fuel taxes	<u>25,000,000</u>
From State Highways and Transportation Department Fund (0644)	\$26,000,000

SECTION 4.470. — To the Department of Transportation

Funds are to be transferred out of the State Treasury to the State Road Fund

From State Highways and Transportation Department Fund (0644)	\$713,945,000
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SECTION 4.475. — To the Department of Transportation

For Multimodal Operations Administration, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and twenty percent (20%) flexibility is allowed between Sections 4.400, 4.425, 4.450, 4.460 and 4.475

Personal Service.....	\$357,795
Expense and Equipment.....	<u>269,600</u>
From Multimodal Operations Federal Fund (0126)	627,395

Personal Service.....	534,921
Expense and Equipment.....	<u>39,852</u>
From State Road Fund (0320)	574,773

Personal Service.....	532,827
Expense and Equipment.....	<u>146,106</u>
From Railroad Expense Fund (0659).....	678,933

Personal Service	182,705
Expense and Equipment.....	<u>26,220</u>
From State Transportation Fund (0675)	208,925

Personal Service.....	570,370
Expense and Equipment.....	<u>24,827</u>
From Aviation Trust Fund (0952).....	595,197
Total (Not to exceed 35.68 F.T.E.)	\$2,685,223

SECTION 4.480. — To the Department of Transportation

For Multimodal Operations

Funds are to be transferred out of the State Treasury to the State Road Fund for providing professional and technical services and administrative support of the multimodal program

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From Multimodal Operations Federal Fund (0126)	\$167,000
From Railroad Expense Fund (0659).....	690,000
From State Transportation Fund (0675)	70,000
From Aviation Trust Fund (0952).....	<u>151,134</u>
Total.....	\$1,078,134

SECTION 4.485. — To the Department of Transportation

For Multimodal Operations

For loans from the State Transportation Assistance Revolving Fund to political subdivisions of the state or to public or private not-for-profit organizations or entities in accordance with Section 226.191, RSMo

From State Transportation Assistance Revolving Fund (0841).....\$1,000,000

SECTION 4.490. — To the Department of Transportation

For the Transit Program

For distributing funds to urban, small urban, and rural transportation systems

From General Revenue Fund (0101)

\$7,000,000

From State Transportation Fund (0675)

1,710,875

Total.....

\$8,710,875

SECTION 4.495. — To the Department of Transportation

For the Transit Program

For locally matched grants under Sections 5310 and 5317, Title 49, United States Code to assist private, non-profit organizations in improving public transportation for the state's elderly and people with disabilities and to assist disabled persons with transportation services beyond those required by the Americans with Disabilities Act, provided twenty-five percent (25%) flexibility is allowed between Sections 4.495, 4.505, 4.510, 4.515 and 4.520

From Multimodal Operations Federal Fund (0126)

\$14,300,000

SECTION 4.500. — To the Department of Transportation

For the Transit Program

For an operating subsidy for not-for-profit transporters of the elderly, people with disabilities, and low-income individuals, provided three percent (3%) flexibility is allowed from this section to Section 4.570

From General Revenue Fund (0101)

\$3,725,522

From State Transportation Fund (0675)

1,274,478

Total.....

\$5,000,000

SECTION 4.505. — To the Department of Transportation

For the Transit Program

For locally matched grants under Sections 5311, 5312 and 5316, Title 49, United States Code, provided twenty-five percent (25%) flexibility is allowed between Sections 4.495, 4.505, 4.510, 4.515 and 4.520

From Multimodal Operations Federal Fund (0126)

\$31,000,000

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Matter in bold-face type is proposed language.

For grants under Sections 5310, 5311, 5312 and 5340, Title 49, United States Code	
From Department of Transportation Federal Stimulus Fund (2320).....	61,770,760
For assistance to transit providers to continue responding to the ongoing COVID-19 pandemic, including for costs to assist with operations, including payroll and personal protective equipment expenses, including support to rural transit agencies and transit service for the elderly and individuals with disabilities, pursuant to the provisions of the American Rescue Plan Act of 2021	
From Department of Transportation Federal Stimulus - 2021 Fund (2443).....	<u>12,903,690</u>
Total.....	\$105,674,450

SECTION 4.510. — To the Department of Transportation

For the Transit Program

For grants under Section 5309, Title 49, United States Code to assist private, non-profit organizations providing public transportation services, provided twenty-five percent (25%) flexibility is allowed between Sections 4.495, 4.505, 4.510, 4.515 and 4.520	
From Multimodal Operations Federal Fund (0126)	\$1,000,000

SECTION 4.515. — To the Department of Transportation

For the Transit Program

For grants to metropolitan areas under Section 5303, Title 49, United States Code, provided twenty-five percent (25%) flexibility is allowed between Sections 4.495, 4.505, 4.510, 4.515 and 4.520	
From Multimodal Operations Federal Fund (0126)	\$1,500,000

SECTION 4.520. — To the Department of Transportation

For the Transit Program

For grants to public transit providers to replace, rehabilitate, and purchase vehicles and related equipment and to construct vehicle-related facilities, provided twenty-five percent (25%) flexibility is allowed between Sections 4.495, 4.505, 4.510, 4.515 and 4.520	
From Multimodal Operations Federal Fund (0126)	\$13,400,000

SECTION 4.525. — To the Department of Transportation

For the Light Rail Safety Program

From Multimodal Operations Federal Fund (0126)	\$505,962
From State Transportation Fund (0675)	<u>126,491</u>
Total.....	\$632,453

SECTION 4.530. — To the Department of Transportation

For the Rail Program

For daily passenger rail service in Missouri, provided the department operate the service without incurring any further arrears or otherwise commit itself or the state to any form of debt payments to operate the service	
From General Revenue Fund (0101)	\$13,250,000

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SECTION 4.535. — To the Department of Transportation
 For station repairs and improvements at Missouri Amtrak stations
 From State Transportation Fund (0675) \$25,000

SECTION 4.540. — To the Department of Transportation
 For protection of the public against hazards existing at railroad crossings
 pursuant to Chapter 389, RSMo
 From Grade Crossing Safety Account (0290)..... \$3,000,000

SECTION 4.545. — To the Department of Transportation
 For the Aviation Program
 For construction, capital improvements, and maintenance of publicly owned
 airfields, including land acquisition, and for printing charts and directories
 From Aviation Trust Fund (0952)..... \$10,000,000

For the construction of a commercial terminal facility at a joint-use military and
 civilian airport located in a county with more than fifty thousand but fewer
 than sixty thousand inhabitants and with a county seat with more than four
 thousand but fewer than seven thousand inhabitants
 From General Revenue Fund (0101) 3,000,000
 Total..... \$13,000,000

SECTION 4.550. — To the Department of Transportation
 For the Aviation Program
 For construction, capital improvements, or planning of publicly owned airfields
 by cities or other political subdivisions, including land acquisition, pursuant
 to the provisions of the State Block Grant Program administered through the
 Federal Airport Improvement Program and the Infrastructure Investment
 and Jobs Act
 From Multimodal Operations Federal Fund (0126) \$56,103,657

For construction, capital improvements, operations, or planning of publicly
 owned airfields by cities or other political subdivisions, including land
 acquisition, pursuant to the provisions of the Coronavirus Aid, Relief, and
 Economic Security Act, and the Coronavirus Response and Relief
 Supplemental Appropriations Act
 From Department of Transportation Federal Stimulus Fund (2320)..... 2,054,449

For assistance to airport sponsors to prevent, prepare for, and respond to
 COVID-19, including for costs related to operations, personnel, cleaning,
 sanitization, janitorial services, combating the spread of pathogens at the
 airport, and debt service payments, pursuant to the provisions of the
 American Rescue Plan Act of 2021
 From Department of Transportation Federal Stimulus - 2021 Fund (2443)..... 2,207,000
 Total..... \$60,365,106

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SECTION 4.555. — To the Department of Transportation

For the Waterways Program

For grants to port authorities for assistance in port planning, acquisition, or construction within the port districts, provided three percent (3%) flexibility is allowed from this section to Section 4.570

From General Revenue Fund (0101)\$11,620,577

From State Transportation Fund (0675) 800,000

For a grant to a port authority located in any county with more than two hundred thousand but fewer than two hundred thirty thousand inhabitants, for assistance in port planning, acquisition, or construction within the port district

From Budget Stabilization Fund (0522) 25,000,000

Total.....\$37,420,577

SECTION 4.560. — To the Department of Transportation

For the Federal Rail, Port and Freight Assistance Program

From Multimodal Operations Federal Fund (0126)\$26,000,000

SECTION 4.565. — To the Department of Transportation

For the Freight Enhancement Program

For projects to improve connectors for ports, rail, and other non-highway transportation systems

From State Transportation Fund (0675)\$3,250,000

SECTION 4.570. — To the Department of Transportation

Funds are to be transferred out of the State Treasury to the State Legal Expense Fund for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo

From General Revenue Fund (0101)\$1

PART 2**SECTION 4.600.** — To the Department of Revenue and the Department of Transportation

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

SECTION 4.610. — To the Department of Transportation

In reference to Section 4.400 through and including Section 4.570 of Part 1 of this act: No funds shall be expended for the development, implementation, advancement, construction, maintenance, or operation of toll roads on interstate highways.

PART 3

SECTION 4.700. — To the Department of Revenue and the Department of Transportation

Appendix of One-time Appropriations

Section	Line	Amount	F.T.E. Amount
4.005	10	\$2,250	0
4.005	15	\$660,475	0
4.010	8	\$6,570,275	0
4.020	8	\$10,964	0
4.400	7	\$2,500	0
4.460	14	\$8,428,000	0
4.490	5	\$7,000,000	0
4.555	12	\$25,000,000	0

Department of Revenue Totals

General Revenue Fund.....\$76,267,595
 Federal Funds.....4,152,203
 Other Funds.....495,016,296
 Total\$575,436,094

Department of Transportation Totals

General Revenue Fund.....\$107,863,690
 Federal Funds.....451,977,042
 Other Funds.....2,928,042,844
 Total.....\$3,487,883,576

Approved June 30, 2022

CCS SCS HCS HB 3005

Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, and the Department of Public Safety

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever chargeable to the fund designated for the period beginning July 1, 2022, and ending June 30, 2023, as follows:

PART 1

SECTION 5.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarifications of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 5.005. — To the Office of Administration

For the Commissioner's Office, provided that not more than three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided five percent (5%) flexibility is allowed from personal service to expense and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

Personal Service.....	\$846,502
Annual salary adjustment in accordance with Section 105.005, RSMo.....	8,819
Expense and Equipment.....	<u>84,522</u>
From General Revenue Fund (0101)	939,843

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For the Office of Equal Opportunity, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	386,080
Expense and Equipment.....	<u>85,758</u>
From General Revenue Fund (0101)	471,838
For a Prescription Drug Monitoring Program	
Expense and Equipment	
From Office of Administration - Federal Fund (0135)	400,000
Personal Service.....	189,900
Expense and Equipment.....	<u>1,935,652</u>
From General Revenue Fund (0101)	<u>2,125,552</u>
Total (Not to exceed 20.50 F.T.E.)	\$3,937,233

SECTION 5.010. — To the Office of Administration

For the Commissioner's Office

For funding a program for low-risk offender supervision, that monitors individuals subject to pre-conviction or post-conviction supervision through a check-in system that the supervising agency or circuit can access through a secure web-based platform; a secondary objective is to establish exclusion zones and compliance levels through a platform capable of generating relevant reports; supervision of defendants when implementing Supreme Court Rule 33.01 relating to a pre-trial defendant's right to release	
From General Revenue Fund (0101)	\$4,000,000

SECTION 5.015. — To the Office of Administration

For the Division of Accounting, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided five percent (5%) flexibility is allowed between personal service to expense and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095	
Personal Service.....	\$3,392,007
Expense and Equipment.....	<u>132,436</u>
From General Revenue Fund (0101)	3,524,443

For the implementation of a new enterprise resource planning system, provided five percent (5%) flexibility is allowed between personal service to expense and equipment	
Personal Service.....	3,643,278
Expense and Equipment.....	<u>86,474</u>
From General Revenue Fund (0101)	<u>3,729,752</u>
Total (Not to exceed 111.00 F.T.E.)	\$7,254,195

SECTION 5.020. — To the Office of Administration

For the Division of Budget and Planning, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided fifteen percent (15%) flexibility is allowed between personal service and expense

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and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095	
Personal Service.....	\$2,062,605
Expense and Equipment.....	<u>71,473</u>
From General Revenue Fund (0101)	2,134,078
For census preparation	
From General Revenue Fund (0101)	<u>568,910</u>
Total (Not to exceed 29.00 F.T.E.)	\$2,702,988

SECTION 5.025. — To the Office of Administration

For the Information Technology Services Division, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and provided twenty-five percent (25%) flexibility is allowed between and within personal service and expense and equipment within Section 5.025, and further provided twenty-five percent (25%) flexibility is allowed from this section to Section 5.030 between the general revenue fund, twenty-five percent (25%) flexibility is allowed from this section to Section 5.030 between federal funds, and twenty-five percent (25%) flexibility is allowed from this section to Section 5.030 between other funds, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

For Information Technology Services Division billings	
Personal Service.....	\$9,607,809
Expense and Equipment.....	<u>41,987,303</u>
From Missouri Revolving Information Technology Trust Fund (0980)	51,595,112
For providing state-wide information technology applications, infrastructure and administrative support	
Personal Service.....	3,853,424
Expense and Equipment.....	<u>2,656,971</u>
From General Revenue Fund (0101)	6,510,395
Personal Service.....	4,598,517
Expense and Equipment.....	<u>2,116,934</u>
From OA Information Technology Federal Fund (0165)	6,715,451
For funding information technology security enhancements	
Personal Service.....	3,095,874
Expense and Equipment.....	<u>18,971,874</u>
From General Revenue Fund (0101)	22,067,748
Expense and Equipment	
From Budget Stabilization Fund (0522)	<u>6,000,000</u>
Total (Not to exceed 318.25 F.T.E.)	\$92,888,706

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SECTION 5.030. — To the Office of Administration

For the Information Technology Services Division, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and provided twenty-five percent (25%) flexibility is allowed between and within personal service and expense and equipment within Section 5.030, and further provided twenty-five percent (25%) flexibility is allowed between and within departments' general revenue funds, twenty-five percent (25%) flexibility is allowed between and within departments' federal funds, and twenty-five percent (25%) flexibility is allowed between and within departments' other funds, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

For the Department of Elementary and Secondary Education

Personal Service.....	\$693,425
Expense and Equipment.....	<u>579,928</u>
From General Revenue Fund (0101)	1,273,353
From OA Information Technology Federal Fund (0165)	4,009,329
From Other Funds (Various)	325,526

For the Department of Higher Education and Workforce Development

Personal Service.....	831,587
Expense and Equipment.....	<u>1,672,840</u>
From General Revenue Fund (0101)	2,504,427
From OA Information Technology Federal Fund (0165)	2,595,099
From Other Funds (Various)	277,176

For the Department of Revenue

Personal Service.....	4,692,982
Expense and Equipment.....	<u>21,751,102</u>
From General Revenue Fund (0101)	26,444,084
From OA Information Technology Federal Fund (0165)	2
From Motor Vehicle Administrative Technology Fund (0696)	27,000,000
From Other Funds (Various)	3,086,013

For the Office of Administration

Personal Service.....	2,831,604
Expense and Equipment.....	<u>6,233,627</u>
From General Revenue Fund (0101)	9,065,231
From OA Information Technology Federal Fund (0165)	2
From Other Funds (Various)	550,592

For on at least an annual basis, the departments of Social Services, Mental Health, Health and Senior Services, and Elementary and Secondary Education, and any other department as applicable, shall make available to the public on its website data concerning geographic variance in usage of

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public assistance benefits including, but not limited to, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) program, Women, Infants and Children (WIC) program, and MO HealthNet, provided that the data shall include, at a minimum, the averages of monthly, aggregate, nonconfidential, and nonpersonally identifiable information for: (1) the total number of households enrolled and average benefit received in each city, town, village, or municipality of the state with a population greater than one thousand inhabitants; and (2) the total number of households enrolled and average benefit received in each county of the state with a population greater than one thousand inhabitants	
From General Revenue Fund (0101)	24,977
For the Department of Agriculture	
Personal Service	304,087
Expense and Equipment	<u>311,688</u>
From General Revenue Fund (0101)	615,775
From OA Information Technology Federal Fund (0165)	2
From Other Funds (Various)	545,898
For the Department of Natural Resources	
Personal Service	448,442
Expense and Equipment	<u>63,171</u>
From General Revenue Fund (0101)	511,613
From OA Information Technology Federal Fund (0165)	1,936,686
From Other Funds (Various)	6,982,289
For the Department of Economic Development	
Personal Service	305,515
Expense and Equipment	<u>455,613</u>
From General Revenue Fund (0101)	761,128
From OA Information Technology Federal Fund (0165)	371,293
From Other Funds (Various)	898,806
For the Department of Commerce and Insurance	
Personal Service	1,091
Expense and Equipment	<u>1,000</u>
From General Revenue Fund (0101)	2,091
From Other Funds (Various)	2,813,761
For the Department of Labor and Industrial Relations	
Personal Service	1
Expense and Equipment	<u>35,709</u>
From General Revenue Fund (0101)	35,710

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From Department of Labor and Industrial Relations Administrative Fund (0122).....	4,867,130
From OA Information Technology Federal Fund (0165)	3,816,427
From Division of Labor Standards - Federal Fund (0186).....	7,701
From Department of Labor Federal Stimulus Fund (2375)	6,700,000
From Department of Labor Federal Stimulus 2021 Fund (2452).....	2,540,899
From Other Funds (Various)	40,446,074
For the Department of Public Safety	
Personal Service.....	1,199,946
Expense and Equipment.....	<u>2,321,366</u>
From General Revenue Fund (0101)	3,521,312
From OA Information Technology Federal Fund (0165)	48,670
From Other Funds (Various)	4,180,514
For the Department of Corrections	
Personal Service.....	2,536,356
Expense and Equipment.....	<u>8,489,380</u>
From General Revenue Fund (0101)	11,025,736
From OA Information Technology Federal Fund (0165)	2
From Other Funds (Various)	254,508
For the Department of Health and Senior Services	
Personal Service.....	1,977,368
Expense and Equipment.....	<u>488,912</u>
From General Revenue Fund (0101)	2,466,280
From OA Information Technology Federal Fund (0165)	26,279,738
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	615,916
From Department of Health and Senior Services Federal Stimulus 2021 Fund (2457).....	48,233
From Other Funds (Various)	2,777,690
For the Department of Mental Health	
Personal Service.....	5,771,952
Expense and Equipment.....	<u>2,954,674</u>
From General Revenue Fund (0101)	8,726,626
From OA Information Technology Federal Fund (0165)	3,717,642
For the Department of Social Services	
Personal Service.....	3,391,692
Expense and Equipment.....	<u>1,624,336</u>
From General Revenue Fund (0101)	5,016,028
From OA Information Technology Federal Fund (0165)	28,154,499
From Temporary Assistance for Needy Families Federal Fund (0199).....	<u>9,892,870</u>
Total (Not to exceed 572.25 F.T.E.)	\$257,735,358

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Matter in bold-face type is proposed language.

SECTION 5.035. — To the Office of Administration
 For the Information Technology Services Division
 For the centralized telephone billing system
 Expense and Equipment
 From Missouri Revolving Information Technology Trust Fund (0980).....\$44,700,697

SECTION 5.040. — To the Office of Administration
 Funds are to be transferred out of the State Treasury to the E-Procurement
 and State Technology Fund
 From Missouri Revolving Information Technology Trust Fund (0980).....\$9,200,000

 For receiving and expending funds for E-Procurement activities
 From E-Procurement and State Technology Fund (0495)..... 5,000,000
 Total.....\$14,200,000

SECTION 5.045. — To the Office of Administration
 For the Information Technology Services Division
 For replacement of the statewide accounting and budgeting systems, including
 consulting and procurement, per a memorandum of understanding between
 the Missouri House of Representatives, the Missouri Senate, the Office of
 Administration, and the Judiciary
 From General Revenue Fund (0101)\$21,800,000
 From E-Procurement and State Technology Fund (0495)..... 4,200,000
 Total.....\$26,000,000

SECTION 5.050. — To the Office of Administration
 For the Division of Accounting
 Funds are to be transferred out of the State Treasury, such amounts as are
 necessary for allocation of costs to other funds in support of the
 implementation of a new enterprise resource planning system
 From Other Funds (Various)\$6,000,000

SECTION 5.055. — To the Office of Administration
 For the Division of Personnel, provided three percent (3%) flexibility is allowed
 from this section to Section 5.145, and further provided five percent (5%)
 flexibility is allowed between personal service and expense and equipment,
 and five percent (5%) flexibility is allowed between Sections 5.005, 5.015,
 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095
 Personal Service.....\$3,170,905
 Expense and Equipment..... 1,293,432
 From General Revenue Fund (0101)4,464,337

 Personal Service..... 138,817
 Expense and Equipment..... 471,555
 From Office of Administration Revolving Administrative Trust Fund (0505)..... 610,372

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Personal Service.....	35,901
Expense and Equipment.....	<u>3,600</u>
From Missouri Revolving Information Technology Trust Fund (0980).....	<u>39,501</u>
Total (Not to exceed 66.72 F.T.E.)	\$5,114,210

SECTION 5.057. — To the Office of Administration

For the Statewide Rewards and Recognition Program

From General Revenue Fund (0101)	\$6,663,450
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SECTION 5.060. — To the Office of Administration

For the Division of Personnel, for an employee suggestion program

From General Revenue Fund (0101)	\$20,000
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SECTION 5.065. — To the Office of Administration

For the Division of Purchasing and Materials Management, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

Personal Service.....	\$2,268,672
Expense and Equipment.....	<u>77,371</u>
From General Revenue Fund (0101)	2,346,043

Personal Service

From Department of Mental Health - Federal Funds (0148)	10,940
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From Job Development and Training Fund (0155)	1,396
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From Department of Labor and Industrial Relations Administrative

Fund (0122).....	2,839
From DNR Cost Allocation Fund (0500).....	6,681
From DCI Administrative Fund (0503).....	2,282
From Department of Economic Development Administrative Fund (0547).....	1,764
From Agriculture Protection Fund (0970).....	1,743
From State Facility Maintenance and Operation Fund (0501).....	<u>7,474</u>
Total (Not to exceed 38.00 F.T.E.)	\$2,381,162

SECTION 5.070. — To the Office of Administration

For the Division of Purchasing and Materials Management

For refunding bid and performance bonds

From Office of Administration Revolving Administrative Trust Fund (0505)	\$3,000,000
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SECTION 5.075. — To the Office of Administration

For the Division of Facilities Management, Design and Construction Asset Management

For authority to spend donated funds to support renovations and operations of the Governor's Mansion

From State Facility Maintenance and Operation Fund (0501).....	\$60,000
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SECTION 5.080. — To the Office of Administration

For the Division of Facilities Management, Design and Construction Asset Management

For any and all expenditures necessary for funding the operations of the Board of Public Buildings, state-owned and leased office buildings, institutional facilities, laboratories, and support facilities, provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

Expense and Equipment

From General Revenue Fund (0101)	\$727,600
Personal Service.....	22,493,281
Expense and Equipment.....	33,942,396
From State Facility Maintenance and Operation Fund (0501).....	56,435,677
Total (Not to exceed 484.25 F.T.E.)	\$57,163,277

SECTION 5.085. — To the Office of Administration

For the Division of Facilities Management, Design and Construction Asset Management

For funding expenditures associated with the State Capitol Commission

Expense and Equipment

From State Capitol Commission Fund (0745)	\$25,000
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SECTION 5.090. — To the Board of Public Buildings

For the Office of Administration

For the Division of Facilities Management, Design and Construction Asset Management

For modifications, replacement, repair costs, and other support services at state-operated facilities or institutions when recovery is obtained from a third party including energy rebates or disaster recovery

From State Facility Maintenance and Operation Fund (0501).....	\$2,000,000
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SECTION 5.095. — To the Office of Administration

For the Division of General Services, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and five percent (5%) flexibility is allowed between Sections 5.005, 5.015, 5.020, 5.025, 5.030, 5.055, 5.065, 5.080, and 5.095

Personal Service.....	\$1,086,965
Expense and Equipment.....	214,550
From General Revenue Fund (0101)	1,301,515
Personal Service.....	3,475,740
Expense and Equipment.....	979,728
From Office of Administration Revolving Administrative Trust Fund (0505).....	4,455,468
Total (Not to exceed 103.00 F.T.E.)	\$5,756,983

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SECTION 5.100. — To the Office of Administration

For the Division of General Services

For the operation of the State Agency for Surplus Property

Personal Service.....\$1,000,666

Expense and Equipment..... 646,095

From Federal Surplus Property Fund (0407) (Not to exceed 19.00 F.T.E.)\$1,646,761

SECTION 5.105. — To the Office of Administration

For the Division of General Services

For the Fixed Price Vehicle Program

Expense and Equipment

From Federal Surplus Property Fund (0407)\$1,495,994

SECTION 5.110. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Department of

Social Services for the heating assistance program, as provided by Section

34.032, RSMo

From Federal Surplus Property Fund (0407)\$30,000

SECTION 5.115. — To the Office of Administration

For the Division of General Services

For the disbursement of surplus property sales receipts

From Proceeds of Surplus Property Sales Fund (0710)\$299,894

SECTION 5.120. — To the Office of Administration

Funds are to be transferred out of the State Treasury to various state agency

funds

From Proceeds of Surplus Property Sales Fund (0710)\$3,000,000

SECTION 5.125. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the State Property

Preservation Fund

From Other Funds (Various)\$25,000,000

SECTION 5.130. — To the Office of Administration

For the Division of General Services

For the repair or replacement of state-owned or leased facilities that have
suffered damage from natural or man-made events or for the defeasance of
outstanding debt secured by the damaged facilities when a notice of
coverage has been issued by the Commissioner of Administration, as
provided by Sections 37.410 through 37.413, RSMo

From State Property Preservation Fund (0128).....\$25,000,000

SECTION 5.135. — To the Office of Administration

For the Division of General Services

For reimbursable expenses and for the replacement or repair of damaged equipment
when recovery is obtained from a third party

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Expense and Equipment
From Office of Administration Revolving Administrative Trust Fund (0505)\$15,480,000

SECTION 5.140. — To the Office of Administration

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Sections 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)\$18,625,000
From Federal and Other Funds (Various)..... 15,000,000
Total.....\$33,625,000

SECTION 5.145. — To the Office of Administration

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)\$1

SECTION 5.150. — To the Office of Administration

For the Division of General Services

For the payment of claims and expenses as provided by Section 105.711 et seq., RSMo, and for purchasing insurance against any or all liability of the State of Missouri or any agency, officer, or employee thereof

From State Legal Expense Fund (0692)\$100,000,225

SECTION 5.155. — To the Office of Administration

For the Administrative Hearing Commission, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided twenty percent (20%) flexibility is allowed between personal service and expense and equipment

Personal Service.....\$1,078,732
Annual salary adjustment in accordance with Section 105.005, RSMo..... 31,118
Expense and Equipment..... 62,579
From General Revenue Fund (0101) 1,172,429

Personal Service..... 79,694
Annual salary adjustment in accordance with Section 105.005, RSMo..... 5,216
From Administrative Hearing Commission Educational Due Process Hearing Fund (0818)..... 84,910

Personal Service..... 123,752
Expense and Equipment..... 82,800
From Missouri Veterans Health and Care Fund (0606) 206,552
Total (Not to exceed 18.50 F.T.E.)\$1,463,891

SECTION 5.160. — To the Office of Administration

For funding the Office of Child Advocate, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided

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five percent (5%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$305,868
Expense and Equipment.....	8,208
From General Revenue Fund (0101)	314,076
Personal Service.....	143,919
Expense and Equipment.....	15,143
From Office of Administration - Federal Fund (0135)	159,062
Total (Not to exceed 7.00 F.T.E.)	\$473,138

SECTION 5.165. — To the Office of Administration

For the administrative, promotional, and programmatic costs of the Children's Trust Fund Board as provided by Section 210.173, RSMo, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and provided twenty-five percent (25%) flexibility is allowed between expense and equipment and program disbursements	
Personal Service.....	\$318,931
Expense and Equipment.....	1,013,757
For Program Disbursements	3,400,000
From Children's Trust Fund (0694)	4,732,688
From Office of Administration Federal Stimulus 2021 Fund (2445).....	1,558,025
For contracts with community-based programs designed to prevent child sexual abuse, to be competitively awarded in accordance with Section 210.172, RSMo	
From General Revenue Fund (0101)	500,000
For the purposes of funding The Family Connects Model in Southwest Missouri	
From General Revenue Fund (0101)	500,000
For the purposes of expenditures to improve facilities and infrastructure	
From Budget Stabilization Fund (0522)	20,000,000
Total (Not to exceed 6.00 F.T.E.)	\$27,290,713

SECTION 5.170. — To the Office of Administration

For funding the Governor's Council on Disability, provided three percent (3%) flexibility is allowed from this section to Section 5.145, and further provided five percent (5%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$204,936
Expense and Equipment.....	25,668
From General Revenue Fund (0101) (Not to exceed 4.00 F.T.E.)	\$230,604

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Matter in bold-face type is proposed language.

SECTION 5.175. — To the Office of Administration

For those services provided through the Office of Administration that are contracted with and reimbursed by the Board of Trustees of the Missouri Public Entity Risk Management Fund as provided by Chapter 537, RSMo	
Personal Service.....	\$813,873
Expense and Equipment.....	<u>10,500</u>
From Office of Administration Revolving Administrative Trust Fund (0505)	
(Not to exceed 14.00 F.T.E.)	\$824,373

SECTION 5.180. — To the Office of Administration

For the Missouri Ethics Commission, provided five percent (5%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$1,362,900
Expense and Equipment.....	<u>296,232</u>
From General Revenue Fund (0101) (Not to exceed 24.00 F.T.E.)	
	\$1,659,132

SECTION 5.185. — To the Office of Administration

For the Division of Accounting	
For payment of rent by the state for state agencies occupying Board of Public Buildings revenue bond financed buildings. Funds are to be used for principal, interest, bond issuance costs, and reserve fund requirements of Board of Public Buildings bonds	
From General Revenue Fund (0101)	\$61,024,026
From Facilities Maintenance Reserve Fund (0124).....	12,625,782
From Board of Public Buildings Series A 2018 State Facilities Bond Proceeds	
Fund (0307)	<u>750,000</u>
Total.....	\$74,399,808

SECTION 5.190. — To the Office of Administration

For the Division of Accounting	
For annual fees, arbitrage rebate, refunding, defeasance, and related expenses of House Bill 3005 debt	
From General Revenue Fund (0101)	\$100,030,654

SECTION 5.195. — To the Office of Administration

For the Division of Accounting	
For payment of the state's lease/purchase debt requirements	
From State Facility Maintenance and Operation Fund (0501).....	\$2,408,932

SECTION 5.200. — To the Office of Administration

For the Division of Accounting	
For debt service and all related expenses associated with the State Historical Society Project bonds issued through the Missouri Development Finance Board	
From General Revenue Fund (0101)	\$2,308,794

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 5.205. — To the Office of Administration

For transferring funds to the Fulton State Hospital Bond Fund for debt payments on bonds issued by the Missouri Development Finance Board pursuant to a finance agreement between the Missouri Development Finance Board, Office of Administration, and Department of Mental Health for a project to replace Fulton State Hospital, not to exceed \$220 million in total bonding principal and for related expenses

From General Revenue Fund (0101)\$12,329,785

SECTION 5.210. — To the Office of Administration

For the Division of Accounting

For debt service related to the Fulton State Hospital bonds

From Fulton State Hospital Bond Fund (0396).....\$12,335,263

SECTION 5.215. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For debt service related to guaranteed energy cost savings contracts

From Facilities Maintenance Reserve Fund (0124)..... \$848,500

SECTION 5.220. — To the Office of Administration

For the Division of Accounting

For Debt Management

Expense and Equipment

From General Revenue Fund (0101) \$83,300

SECTION 5.225. — To the Office of Administration

For the Division of Accounting

For the Bartle Hall Convention Center expansion, operations, development, or maintenance in Kansas City pursuant to Sections 67.638 through 67.641, RSMo

From General Revenue Fund (0101)\$2,000,000

SECTION 5.230. — To the Office of Administration

For the Division of Accounting

For the maintenance of the Jackson County Sports Complex pursuant to Sections 67.638 through 67.641, RSMo

From General Revenue Fund (0101)\$3,000,000

SECTION 5.235. — To the Office of Administration

For the Division of Accounting

For debt service and maintenance on the Edward Jones Dome project in St. Louis

From General Revenue Fund (0101)\$2,000,000

SECTION 5.240. — To the Office of Administration

For the Division of Accounting

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the Department of Natural Resources lease payments to the state board of
public buildings for various state park improvements
From State Parks Earnings Fund (0415).....\$4,046,665

SECTION 5.245. — To the Office of Administration

For the Division of Accounting
For interest payments on federal grant monies in accordance with the Cash
Management Improvement Act of 1990 and 1992, and any other interest or
penalties due to the federal government
From General Revenue Fund (0101)\$900,000
From Office of Administration - Federal Fund (0135)..... 20,000
From Federal Surplus Property Fund (0407) 20,000
Total.....\$940,000

SECTION 5.250. — To the Office of Administration

For the distribution of federal funds to non-entitlement units of local government
as provided in the American Recovery Act
From Coronavirus Local Government Fiscal Recovery Fund (2404).....\$250,000,000

SECTION 5.255. — To the Office of Administration

Funds are to be transferred out of the State Treasury, chargeable to the
Budget Reserve Fund and other funds, such amounts as may be necessary
for cash-flow assistance to various funds, provided, however, that funds
other than the Budget Reserve Fund will not be used without prior
notification to the Commissioner of the Office of Administration, the Chair
of the Senate Appropriations Committee, and the Chair of the House Budget
Committee. Cash-flow assistance from funds other than the Budget Reserve
Fund shall only be transferred from May 15 to June 30 in any fiscal year,
and an amount equal to the transfer received, plus interest, shall be
transferred back to the appropriate Other Funds prior to June 30 of the fiscal
year in which the transfer was made

From Budget Reserve Fund and Other Funds to General Revenue
Fund (Various).....\$550,000,000
From Budget Reserve Fund and Other Funds to Other Funds (Various) 100,000,000
Total.....\$650,000,000

SECTION 5.260. — To the Office of Administration

Funds are to be transferred out of the State Treasury, such amounts as may
be necessary for repayment of cash-flow assistance to the Budget Reserve
Fund and Other Funds, provided, however, that the Commissioner of the
Office of Administration, the Chair of the Senate Appropriations
Committee, and the Chair of the House Budget Committee shall be notified
when repayment to funds, other than the Budget Reserve Fund, has been
made

From General Revenue Fund (0101)\$550,000,000
From Other Funds (Various) 100,000,000
Total.....\$650,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 5.265. — To the Office of Administration

Funds are to be transferred out of the State Treasury, such amounts as may be necessary for interest payments on cash-flow assistance, to the Budget Reserve Fund and Other Funds

From General Revenue Fund (0101)	\$5,500,000
From Other Funds (Various)	<u>500,000</u>
Total.....	\$6,000,000

SECTION 5.270. — To the Office of Administration

Funds are to be transferred out of the State Treasury, such amounts as may be necessary for constitutional requirements of the Budget Reserve Fund, provided twenty-five percent (25%) flexibility is allowed from Sections 5.450, 5.470, and 5.520 to this section

From General Revenue Fund (0101)	\$7,000,000
From Budget Reserve Fund (0100).....	<u>24,858,625</u>
Total.....	\$31,858,625

SECTION 5.285. — To the Office of Administration

Funds are to be transferred out of the State Treasury, such amounts as may be necessary for corrections to fund balances

From General Revenue Fund (0101)	\$50,000
From Federal and Other Funds (Various).....	<u>750,000</u>
Total.....	\$800,000

SECTION 5.290. — To the Office of Administration

Funds are to be transferred out of the State Treasury, such amounts as are necessary for allocation of costs to other funds in support of the state's central services performed by the Office of Administration, the Department of Revenue, the Capitol Police, the Elected Officials, and the General Assembly, to the General Revenue Fund

From Other Funds (Various)	\$9,923,817
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SECTION 5.295. — To the Office of Administration

For funding statewide membership dues

From General Revenue Fund (0101)	\$222,000
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SECTION 5.300. — To the Office of Administration

For the Division of Accounting

For paying the several counties of Missouri the amount that has been paid into the State Treasury by the United States Treasury as a refund from the leases of flood control lands, under the provisions of an Act of Congress approved June 28, 1938, to be distributed to certain counties in Missouri in accordance with the provisions of state law, provided twenty-five percent (25%) flexibility is allowed between Sections 5.300 and 5.305

From Office of Administration - Federal Fund (0135).....	\$1,800,000
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 5.305. — To the Office of Administration

For the Division of Accounting

For paying the several counties of Missouri the amount that has been paid into the State Treasury by the United States Treasury as a refund from the National Forest Reserve, under the provisions of an Act of Congress approved June 28, 1938, to be distributed to certain counties in Missouri, provided twenty-five percent (25%) flexibility is allowed between Sections 5.300 and 5.305

From Office of Administration - Federal Fund (0135).....\$6,500,000

SECTION 5.310. — To the Office of Administration

For the Division of Accounting

For payments to counties for county correctional prosecution reimbursements pursuant to Sections 50.850 and 50.853, RSMo

From General Revenue Fund (0101)\$30,000

SECTION 5.315. — To the Office of Administration

For distribution of state grants to regional planning commissions and local governments as provided by Chapter 251, RSMo

From General Revenue Fund (0101)\$560,000

SECTION 5.320. — To the Office of Administration

For funding transition costs for the State Auditor

From General Revenue Fund (0101)\$13,000

SECTION 5.450. — To the Office of Administration

For transferring funds for state employees and participating political subdivisions to the OASDHI Contributions Fund, provided five percent (5%) flexibility is allowed between federal and other funds within this section, and further provided twenty-five percent (25%) flexibility is allowed from this section to Section 5.270

From General Revenue Fund (0101)\$93,952,929

From Federal Funds (Various)42,236,000

From Other Funds (Various)55,877,071

Total.....\$192,066,000

SECTION 5.455. — To the Office of Administration

For the Department of Public Safety

For transferring funds for employees of the State Highway Patrol to the OASDHI Contributions Fund, said transfers to be administered by the Office of Administration

From State Highways and Transportation Department Fund (0644)\$9,855,000

SECTION 5.460. — To the Office of Administration

For the Division of Accounting

For the payment of OASDHI taxes for all state employees and for participating political subdivisions within the state to the Treasurer of the United States

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

for compliance with current provisions of Title 2 of the Federal Social Security Act, as amended, in accordance with the agreement between the State Social Security Administrator and the Secretary of the Department of Health and Human Services, and for administration of the agreement under Section 218 of the Social Security Act which extends Social Security benefits to state and local public employees

From OASDHI Contributions Fund (0702)\$201,921,000

SECTION 5.465. — To the Office of Administration

For an additional one-time state contribution to the Missouri State Employees'

Retirement System to the State Retirement Contributions Fund

From General Revenue Fund (0101)\$200,000,000

From Budget Stabilization Fund (0522) 300,000,000

Total.....\$500,000,000

SECTION 5.470. — To the Office of Administration

For transferring funds for the state's contribution to the Missouri State Employees' Retirement System to the State Retirement Contributions Fund, provided five percent (5%) flexibility is allowed between federal and other funds within this section, and further provided twenty-five percent (25%) flexibility is allowed from this section to Section 5.270

From General Revenue Fund (0101)\$368,174,827

From Federal Funds (Various) 119,331,703

From Other Funds (Various) 123,222,173

Total.....\$610,728,703

SECTION 5.475. — To the Office of Administration

For the Division of Accounting

For payment of the state's contribution to the Missouri State Employees'

Retirement System, provided that no more than \$14,017,403 shall be expended on administration of the system, excluding investment expenses

From State Retirement Contributions Fund (0701)\$610,728,703

SECTION 5.480. — To the Office of Administration

For the Division of Accounting

Fund are to be transferred out of the State Treasury to the General Revenue Fund

From State Retirement Contributions Fund (0701)\$367,966,000

SECTION 5.485. — To the Office of Administration

For the Division of Accounting

For payment of the state's contribution to the Missouri State Employees'

Retirement System, for accelerated payments to the state contribution

From General Revenue Fund (0101)\$367,966,000

SECTION 5.490. — To the Office of Administration

For the Division of Accounting

For payment of retirement benefits to the Public School Retirement System
pursuant to Section 104.342, RSMo

From General Revenue Fund (0101) \$60,000

SECTION 5.495. — To the Office of Administration

For the Division of Accounting

For transferring funds for state employees who are qualified participants in the
state Deferred Compensation Plan in accordance with Section 105.927,
RSMo, who contribute at least \$25 per month, and pursuant to Section
401(a) of the Internal Revenue Code to the Missouri State Employees'
Deferred Compensation Incentive Plan Administration Fund

From General Revenue Fund (0101) \$15,678,528

From Federal Funds (Various) 9,183,717

From Other Funds (Various) 9,664,746

Total..... \$34,526,991

SECTION 5.500. — To the Office of Administration

For the Division of Accounting

For transferring funds for the state's contribution to the Missouri State
Employees' Deferred Compensation Incentive Plan Administration Fund for
employees of the State Highway Patrol, said transfers to be administered by
the Office of Administration

From State Highways and Transportation Department Fund (0644) \$273,009

SECTION 5.505. — To the Office of Administration

For the Division of Accounting

For the payment of funds credited by the state at a maximum rate of \$75 per
month per qualified participant in accordance with Section 105.927, RSMo,
who contribute at least \$25 per month, to deferred compensation investment
companiesFrom Missouri State Employees' Deferred Compensation Incentive Plan
Administration Fund (0706) \$34,800,000**SECTION 5.510.** — To the Office of Administration

For the Division of Accounting

For reimbursing the Division of Employment Security benefit account for claims
paid to former state employees for unemployment insurance coverage and
for related professional services, provided five percent (5%) flexibility is
allowed between federal and other funds within this section

From General Revenue Fund (0101) \$2,435,534

From Federal Funds (Various) 784,000

From Other Funds (Various) 1,616,000

Total..... \$4,835,534

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 5.515. — To the Office of Administration

For the Division of Accounting

For reimbursing the Division of Employment Security benefit account for claims
 paid to former state employees of the Department of Public Safety for
 unemployment insurance coverage and for related professional services

From State Highways and Transportation Department Fund (0644) \$100,000

SECTION 5.520. — To the Office of Administration

For transferring funds for the state's contribution to the Missouri Consolidated
 Health Care Plan to the Missouri Consolidated Health Care Plan Benefit
 Fund, provided five percent (5%) flexibility is allowed between federal and
 other funds within this section, and further provided twenty five (25%)
 flexibility is allowed from this section to Section 5.270

From General Revenue Fund (0101) \$299,205,394

From Federal Funds (Various) 118,801,082

From Other Funds (Various) 71,022,464

Total \$489,028,940

SECTION 5.525. — To the Office of Administration

For the Division of Accounting

For payment of the state's contribution to the Missouri Consolidated Health Care
 Plan, provided that no more than \$8,950,235 shall be expended on
 administration of the plan, excluding third-party administrator fees

From Missouri Consolidated Health Care Plan Benefit Fund (0765) \$489,028,940

SECTION 5.530. — To the Office of Administration

For the Division of Accounting

For paying refunds for overpayment or erroneous payment of employee
 withholding taxes

From General Revenue Fund (0101) \$36,000

SECTION 5.535. — To the Office of Administration

For the Division of Accounting

For providing voluntary life insurance

From Missouri State Employees' Voluntary Life Insurance Fund (0910) \$3,900,000

SECTION 5.540. — To the Office of Administration

For the Division of Accounting

For employee medical expense reimbursements reserve

From General Revenue Fund (0101) \$1

SECTION 5.545. — To the Office of Administration

For the Division of Accounting

Personal Service for state payroll contingency

From General Revenue Fund (0101) \$36,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

SECTION 5.550. — To the Office of Administration

For the Division of General Services

For the provision of workers' compensation benefits to state employees through either a self-insurance program administered by the Office of Administration and/or by contractual agreement with a private carrier and for administrative and legal expenses authorized, in part, by Section 105.810, RSMo

From General Revenue Fund (0101)	\$37,934,152
From Conservation Commission Fund (0609)	<u>1,200,000</u>
Total.....	\$39,134,152

SECTION 5.555. — To the Office of Administration

Funds are to be transferred out of the State Treasury, chargeable to various funds, amounts paid from the General Revenue Fund for workers' compensation benefits provided to employees paid from these other funds, to the General Revenue Fund, provided five percent (5%) flexibility is allowed between federal and other funds within this section

From Federal Funds (Various)	\$5,016,792
From Other Funds (Various)	<u>3,949,150</u>
Total.....	\$8,965,942

SECTION 5.560. — To the Office of Administration

For the Division of General Services

For workers' compensation tax payments pursuant to Section 287.690, RSMo

From General Revenue Fund (0101)	\$2,375,000
From Conservation Commission Fund (0609)	<u>125,000</u>
Total.....	\$2,500,000

PART 2**SECTION 5.600.** — To the Office of Administration

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

SECTION 5.610. — To the Office of Administration

In reference to all sections in Part 1 of this act:

A contract entered into by a state agency or department for the licensing of software applications designed to run on generally available desktop or server hardware may not limit the ability of the agency or department to install or run the software on the hardware of the agency or departments choosing.

PART 3**SECTION 5.700.** — To the Office of Administration

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Appendix of One-time Appropriations

Section	Line	Amount	F.T.E. Amount
5.005	10	\$2,500	0
5.005	16	\$4,500	0
5.005	22	\$1,790,652	0
5.025	28	\$1,749,032	0
5.025	31	\$6,000,000	0
5.030	21	\$443,769	0
5.030	22	\$1,305,683	0
5.030	88	\$2,506,068	0
5.030	91	\$389,538	0
5.030	92	\$1,846,969	0
5.030	119	\$342,780	0
5.080	12	\$727,600	0
5.165	19	\$500,000	0
5.165	21	\$20,000,000	0
5.190	5	\$100,000,000	0
5.250	4	\$250,000,000	0
5.320	3	\$13,000	0
5.465	5	\$200,000,000	0
5.465	6	\$300,000,000	0

Office of Administration Totals

General Revenue Fund.....\$375,442,676
Federal Funds.....383,899,884
Other Funds.....155,659,671
Total.....\$915,002,231

Employee Benefits Totals

General Revenue Fund.....\$1,387,818,365
Federal Funds.....590,336,502
Other Funds.....276,855,463
Total.....\$2,255,010,330

Approved June 30, 2022

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

CCS SCS HCS HB 3006

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, the Department of Natural Resources, and the Department of Conservation

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof, and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023 as follows:

PART 1

SECTION 6.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 6.005. — To the Department of Agriculture
For the Office of the Director, provided three percent (3%) flexibility is allowed
from this section to Section 6.135

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Expense and Equipment	
From General Revenue Fund (0101)	\$50,000
For the Office of the Director, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment	
Personal Service.....	240,288
Annual salary adjustment in accordance with Section 105.005, RSMo.....	21
Expense and Equipment.....	<u>1,186,831</u>
From Department of Agriculture Federal Fund (0133)	1,427,140
Expense and Equipment	
From Department of Agriculture Federal Stimulus Fund (2395)	200,000
Personal Service.....	705,240
Annual salary adjustment in accordance with Section 105.005, RSMo.....	3,258
Expense and Equipment.....	<u>123,920</u>
From Agriculture Protection Fund (0970).....	832,418
Personal Service.....	27,162
Annual salary adjustment in accordance with Section 105.005, RSMo.....	624
Expense and Equipment.....	<u>2,783</u>
From Animal Care Reserve Fund (0295)	30,569
Personal Service.....	27,727
Expense and Equipment.....	<u>2,789</u>
From Animal Health Laboratory Fee Fund (0292)	30,516
Personal Service.....	81,555
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1
Expense and Equipment.....	<u>6,171</u>
From Grain Inspection Fee Fund (0647)	87,727
Personal Service.....	21,470
Expense and Equipment.....	<u>1,758</u>
From Missouri Land Survey Fund (0668).....	23,228
Personal Service.....	45,773
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1
Expense and Equipment.....	<u>3,529</u>
From Missouri Wine and Grape Fund (0787)	49,303
Personal Service.....	92,838
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1
Expense and Equipment.....	<u>7,465</u>
From Petroleum Inspection Fund (0662).....	100,304

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	95,527
Annual salary adjustment in accordance with Section 105.005, RSMo.....	4,627
Expense and Equipment.....	7,407
From State Fair Fee Fund (0410)	107,561

For the Missouri Food and Beverage Task Force

Expense and Equipment	
From General Revenue Fund (0101)	3,000,000

For refunds of erroneous receipts due to errors in application for licenses,
registrations, permits, certificates, subscriptions, or other fees

From Agriculture Protection Fund (0970).....	13,500
Total (Not to exceed 21.10 F.T.E.)	\$5,952,266

SECTION 6.010. — To the Department of Agriculture

Funds are to be transferred out of the State Treasury to the Veterinary

Student Loan Payment Fund

From Lottery Proceeds Fund (0291)	\$120,000
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SECTION 6.015. — To the Department of Agriculture

For large animal veterinary student loans in accordance with the provisions of

Sections 340.375 to 340.396, RSMo

From Veterinary Student Loan Payment Fund (0803).....	\$180,000
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SECTION 6.020. — To the Department of Agriculture

For the Agriculture Business Development Division, provided three percent

(3%) flexibility is allowed from this section to Section 6.135

Personal Service.....	\$48,384
Expense and Equipment.....	2,031,500
From General Revenue Fund (0101)	2,079,884

For the Agriculture Business Development Division, provided twenty-five
percent (25%) flexibility is allowed between funds and no flexibility is
allowed between personal service and expense and equipment

Personal Service.....	70,116
Expense and Equipment.....	423,886
From Department of Agriculture Federal Fund (0133)	494,002

Personal Service.....	4,560
Expense and Equipment.....	76,735
From Agriculture Business Development Fund (0683)	81,295

Personal Service.....	16,142
Expense and Equipment.....	275,638
From AgriMissouri Fund (0897)	291,780

Personal Service.....	1,384,442
Expense and Equipment.....	427,232
From Agriculture Protection Fund (0970).....	1,811,674

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the Governor's Conference on Agriculture From Agriculture Business Development Fund (0683)	75,000
For urban and non-traditional agriculture From Agriculture Protection Fund (0970).....	25,000
For competitive grants to innovative projects that promote agriculture in urban/suburban communities From Agriculture Protection Fund (0970).....	50,000
For supporting farmers' markets and other economic development initiatives that work to reduce food insecurity in areas which have been designated an urbanized area by the United States Census Bureau From General Revenue Fund (0101)	500,000
For applying for a grant under the United States Department of Agriculture's Senior farmers' market nutrition program, and applying for a grant and submitting a state plan under that United States department's Women, Infants and Children farmers' market nutrition program, for the purpose of providing low-income seniors and pregnant and postpartum women, infants, and children under five years of age who are found to be at nutritional risk with vouchers or other approved and acceptable methods of payment including, but not limited to, electronic cards that may be used to purchase eligible foods at farmers' markets Personal Service.....	44,169
Expense and Equipment.....	59,402
From General Revenue Fund (0101)	103,571
Expense and Equipment From Department of Agriculture Federal Fund (0133)	235,070
For the Abattoir Program From General Revenue Fund (0101)	1
Total (Not to exceed 28.51 F.T.E.)	\$5,747,277
SECTION 6.025. — To the Department of Agriculture For the Agriculture Business Development Division For the Missouri Grown Program Personal Service.....	\$41,939
Expense and Equipment.....	218,756
From Agriculture Protection Fund (0970) (Not to exceed 0.97 F.T.E.).....	\$260,695
SECTION 6.030. — To the Department of Agriculture For the Agriculture Business Development Division For the Wine and Grape Program, provided five percent (5%) flexibility is allowed between personal service and expense and equipment	

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	\$302,365
Expense and Equipment.....	<u>1,598,695</u>
From Missouri Wine and Grape Fund (0787) (Not to exceed 5.00 F.T.E.).....	\$1,901,060

SECTION 6.035. — To the Department of Agriculture

For the Agriculture Business Development Division

For the Agriculture and Small Business Development Authority, provided
twenty-five percent (25%) flexibility is allowed between funds and no
flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$133,201
Expense and Equipment.....	<u>9,264</u>
From Single-Purpose Animal Facilities Loan Program Fund (0408)	142,465

Personal Service.....	12,830
Expense and Equipment.....	<u>2,000</u>
From Livestock Feed and Crop Input Loan Program Fund (0978).....	14,830

Expense and Equipment	
From Agricultural Product Utilization Grant Fund (0413)	<u>100</u>
Total (Not to exceed 3.20 F.T.E.).....	\$157,395

SECTION 6.040. — To the Department of AgricultureFunds are to be transferred out of the State Treasury to the Single-Purpose
Animal Facilities Loan Guarantee Fund, provided one hundred percent
(100%) flexibility is allowed between Sections 6.040, 6.050, and 6.060, and
further provided three percent (3%) flexibility is allowed from this section
to Section 6.135

From General Revenue Fund (0101)	\$5,000
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SECTION 6.045. — To the Department of Agriculture

For loan guarantees as provided in Sections 348.190 and 348.200, RSMo

From Single-Purpose Animal Facilities Loan Guarantee Fund (0409)	\$201,046
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SECTION 6.050. — To the Department of AgricultureFunds are to be transferred out of the State Treasury to the Agricultural
Product Utilization and Business Development Loan Guarantee Fund,
provided one hundred percent (100%) flexibility is allowed between
Sections 6.040, 6.050, and 6.060, and further provided three percent (3%)
flexibility is allowed from this section to Section 6.135

From General Revenue Fund (0101)	\$15,000
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SECTION 6.055. — To the Department of AgricultureFor loan guarantees as provided in Sections 348.403, 348.408, and 348.409,
RSMo

From Agricultural Product Utilization and Business Development Loan Guarantee Fund (0411)	\$624,501
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.060. — To the Department of Agriculture

Funds are to be transferred out of the State Treasury to the Livestock Feed and Crop Input Loan Guarantee Fund, provided one hundred percent (100%) flexibility is allowed between Sections 6.040, 6.050, and 6.060, and further provided three percent (3%) flexibility is allowed from this section to Section 6.135

From General Revenue Fund (0101) \$5,000

SECTION 6.065. — To the Department of Agriculture

For loan guarantees for loans administered by the Missouri Agricultural and Small Business Development Authority for the purpose of financing the purchase of livestock feed used to produce livestock and input used to produce crops for the feeding of livestock, provided that the appropriation may not exceed \$2,000,000

From Livestock Feed and Crop Input Loan Guarantee Fund (0914) \$50,000

SECTION 6.070. — To the Department of Agriculture

For the Agriculture Business Development Division

For the Agriculture Development Program

Personal Service..... \$87,163

Expense and Equipment..... 41,744

From Agriculture Development Fund (0904) 128,907

For all monies in the Agriculture Development Fund for investments, reinvestments, and for emergency agricultural relief and rehabilitation as provided by law

From Agriculture Development Fund (0904) 100,000

Total (Not to exceed 1.60 F.T.E.)..... \$228,907

SECTION 6.075. — To the Department of Agriculture

For the Missouri Dairy Industry Revitalization Act

From Missouri Dairy Industry Revitalization Fund (0414) \$25,000

SECTION 6.080. — To the Department of Agriculture

For the Division of Animal Health, provided three percent (3%) flexibility is allowed from this section to Section 6.135

Personal Service..... \$3,341,780

Expense and Equipment..... 966,292

From General Revenue Fund (0101) 4,308,072

For the Division of Animal Health, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment

Personal Service..... 1,303,269

Expense and Equipment..... 692,433

From Department of Agriculture Federal Fund (0133) 1,995,702

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	121,052
Expense and Equipment.....	<u>967,050</u>
From Animal Health Laboratory Fee Fund (0292)	1,088,102
Personal Service.....	524,177
Expense and Equipment.....	<u>185,956</u>
From Animal Care Reserve Fund (0295)	710,133
Personal Service	
From Livestock Brands Fund (0299)	126
Expense and Equipment	
From Agriculture Protection Fund (0970).....	2,462
Expense and Equipment	
From Puppy Protection Trust Fund (0985)	5,000
Expense and Equipment	
From Large Carnivore Fund (0988)	10,000
To support local efforts to spay and neuter cats and dogs	
From Missouri Pet Spay/Neuter Fund (0747)	50,000
To support the Livestock Brands Program	
From Livestock Brands Fund (0299).....	30,698
For expenses incurred in regulating Missouri livestock markets	
From Livestock Sales and Markets Fees Fund (0581)	30,690
For processing livestock market bankruptcy claims	
From Agriculture Bond Trustee Fund (0756)	129,000
For contributions, gifts, and grants in support of relief efforts to reduce the suffering of abandoned animals	
From State Institutions Gift Trust Fund (0925).....	<u>5,000</u>
Total (Not to exceed 92.47 F.T.E.)	\$8,364,985

SECTION 6.085. — To the Department of Agriculture

For the Division of Animal Health

For indemnity payments and for indemnifying producers and owners of livestock and poultry for preventing the spread of disease during emergencies declared by the State Veterinarian, subject to the approval by the Department of Agriculture, of a state match rate up to twenty-five percent (25%), provided three percent (3%) flexibility is allowed from this section to Section 6.135

From General Revenue Fund (0101)

\$10,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.090. — To the Department of Agriculture

For the Division of Grain Inspection and Warehousing, provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 6.135

Personal Service.....	\$762,238
Expense and Equipment.....	<u>86,033</u>
From General Revenue Fund (0101)	848,271

For the Division of Grain Inspection and Warehousing, provided twenty-five percent (25%) flexibility is allowed between funds, and five percent (5%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	40,697
Expense and Equipment.....	<u>36,211</u>
From Department of Agriculture Federal Fund (0133)	76,908

Personal Service.....	72,579
Expense and Equipment.....	<u>31,651</u>
From Commodity Council Merchandising Fund (0406)	104,230

Personal Service.....	2,480,059
Expense and Equipment.....	<u>604,694</u>
From Grain Inspection Fee Fund (0647)	3,084,753

Expense and Equipment	
From Agriculture Protection Fund (0970).....	<u>85,000</u>
Total (Not to exceed 82.00 F.T.E.)	\$4,199,162

SECTION 6.095. — To the Department of Agriculture

For the Division of Grain Inspection and Warehousing

For the Missouri Aquaculture Council

From Aquaculture Marketing Development Fund (0573)	\$7,000
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For research, promotion, and market development of apples

From Apple Merchandising Fund (0615)	7,000
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For the Missouri Wine Marketing and Research Council

From Missouri Wine Marketing and Research Development Fund (0855)	<u>60,000</u>
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Total.....	\$74,000
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SECTION 6.100. — To the Department of Agriculture

For the Division of Plant Industries, provided twenty-five percent (25%) flexibility is allowed between funds in this section and no flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$1,175,082
Expense and Equipment.....	<u>1,280,789</u>
From Department of Agriculture Federal Fund (0133)	2,455,871

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	275,516
Expense and Equipment.....	<u>34,112</u>
From Industrial Hemp Fund (0476)	309,628
Personal Service.....	2,543,701
Expense and Equipment.....	<u>1,211,665</u>
From Agriculture Protection Fund (0970)	3,755,366
For the Invasive Pest Control Program, provided twenty-five percent (25%) flexibility is allowed between funds in this section and no flexibility is allowed between personal service and expense and equipment	
Personal Service.....	35,588
Expense and Equipment.....	<u>71,388</u>
From Department of Agriculture Federal Fund (0133)	106,976
Personal Service.....	152,140
Expense and Equipment.....	<u>58,000</u>
From Agriculture Protection Fund (0970)	210,140
For the Boll Weevil Eradication Program, provided no flexibility is allowed between personal service and expense and equipment	
Personal Service.....	47,696
Expense and Equipment.....	<u>24,657</u>
From Boll Weevil Suppression and Eradication Fund (0823)	<u>72,353</u>
Total (Not to exceed 81.81 F.T.E.)	\$6,910,334

SECTION 6.105. — To the Department of Agriculture

For the Division of Weights, Measures and Consumer Protection, provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 6.135

Personal Service.....	\$541,965
Expense and Equipment.....	<u>140,047</u>
From General Revenue Fund (0101)	682,012

For the Division of Weights, Measures and Consumer Protection, provided twenty-five percent (25%) flexibility is allowed between funds, and five percent (5%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	43,217
Expense and Equipment.....	<u>50,000</u>
From Department of Agriculture Federal Fund (0133)	93,217

Personal Service.....	574,834
Expense and Equipment.....	<u>576,144</u>
From Agriculture Protection Fund (0970).....	1,150,978

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	1,840,847
Expense and Equipment.....	<u>1,057,817</u>
From Petroleum Inspection Fund (0662)	<u>2,898,664</u>
Total (Not to exceed 68.11 F.T.E.)	<u>\$4,824,871</u>

SECTION 6.110. — To the Department of Agriculture

For the Missouri Land Survey Program, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$821,299
Expense and Equipment.....	<u>206,830</u>
From Missouri Land Survey Fund (0668)	<u>1,028,129</u>

Personal Service.....	205,571
Expense and Equipment.....	<u>80,000</u>
From Department of Agriculture Land Survey Revolving Services Fund (0426)	<u>285,571</u>

For surveying corners and for records restorations, provided twenty-five percent (25%) flexibility is allowed between funds
Expense and Equipment

From Department of Agriculture Federal Fund (0133)	60,000
From Missouri Land Survey Fund (0668).....	<u>90,000</u>
Total (Not to exceed 14.68 F.T.E.)	<u>\$1,463,700</u>

SECTION 6.115. — To the Department of Agriculture

For the Missouri State Fair, provided twenty-five percent (25%) flexibility is allowed between funds, and five percent (5%) flexibility is allowed between personal service and expense and equipment

Personal Service	
From General Revenue Fund (0101)	<u>\$510,246</u>

Personal Service.....	1,489,043
Expense and Equipment.....	<u>3,273,162</u>
From State Fair Fee Fund (0410)	<u>4,762,205</u>

Personal Service	
From Agriculture Protection Fund (0970)	<u>613,562</u>
Total (Not to exceed 59.38 F.T.E.)	<u>\$5,886,013</u>

SECTION 6.120. — To the Department of Agriculture

For cash to start the Missouri State Fair

Expense and Equipment	
From State Fair Fee Fund (0410)	<u>\$74,250</u>
From State Fair Trust Fund (0951)	<u>9,900</u>
Total.....	<u>\$84,150</u>

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.125. — To the Department of Agriculture

For the Missouri State Fair

For equipment replacement

Expense and Equipment

From General Revenue Fund (0101) \$250,000

From State Fair Fee Fund (0410) 165,962

Total..... \$415,962

SECTION 6.130. — To the Department of AgricultureFor the State Milk Board, provided five percent (5%) flexibility is allowed
between personal service and expense and equipment, and further provided
three percent (3%) flexibility is allowed from this section to Section 6.135

Personal Service..... \$119,144

Expense and Equipment..... 852

From General Revenue Fund (0101) 119,996

For the State Milk Board, provided twenty-five percent (25%) flexibility is
allowed between the State Milk Board and Milk Board Local Health, and
five percent (5%) flexibility is allowed between personal service and
expense and equipment

Personal Service..... 528,211

Expense and Equipment..... 212,407

From State Milk Inspection Fee Fund (0645) 740,618

For Milk Board Local Health

From State Milk Inspection Fee Fund (0645) 736,022

Total (Not to exceed 9.93 F.T.E.) \$1,596,636

SECTION 6.135. — To the Department of AgricultureFunds are to be transferred out of the State Treasury to the State Legal
Expense Fund for the payment of claims, premiums, and expenses as
provided by Section 105.711 through 105.726, RSMo

From General Revenue Fund (0101) \$1

SECTION 6.200. — To the Department of Natural ResourcesFor department operations, administration, and support, provided three percent
(3%) flexibility is allowed from this section to Section 6.415

Personal Service..... \$430,197

Annual salary adjustment in accordance with Section 105.005, RSMo..... 7,312

Expense and Equipment..... 62,468

From General Revenue Fund (0101) 499,977

For department operations, administration, and support, provided five percent
(5%) flexibility is allowed between funds and no flexibility is allowed
between personal service and expense and equipment

Personal Service..... 553,249

Annual salary adjustment in accordance with Section 105.005, RSMo..... 178

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Matter in bold-face type is proposed language.

Expense and Equipment.....	<u>106,777</u>
From Department of Natural Resources Federal Fund (0140)	660,204
Personal Service.....	3,259,423
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1,047
Expense and Equipment.....	<u>509,527</u>
From DNR Cost Allocation Fund (0500)	3,769,997
Personal Service	
From Department of Natural Resources Revolving Services Fund (0425)	48,269
For Contractual Audits	
From State Park Earnings Fund (0415)	75,000
From Solid Waste Management Fund (0570).....	78,000
From Soil and Water Sales Tax Fund (0614).....	<u>150,000</u>
Total (Not to exceed 74.71 F.T.E.)	\$5,281,447

SECTION 6.225. — To the Department of Natural Resources

For the Division of Environmental Quality, provided fifteen percent (15%) flexibility is allowed between programs and/or regional offices, and fifteen percent (15%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 6.415

Personal Service.....	\$4,946,585
Expense and Equipment.....	<u>610,472</u>
From General Revenue Fund (0101)	5,557,057

For the Division of Environmental Quality, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment

Personal Service.....	14,069,048
Expense and Equipment.....	<u>2,484,642</u>
From Department of Natural Resources Federal Fund (0140)	16,553,690

Personal Service.....	1,330,766
Expense and Equipment.....	<u>112,037</u>
From DNR Cost Allocation Fund (0500)	1,442,803

Personal Service.....	34,644
Expense and Equipment.....	<u>47,302</u>
From Environmental Radiation Monitoring Fund (0656)	81,946

Personal Service.....	2,201,790
Expense and Equipment.....	<u>235,124</u>
From Hazardous Waste Fund (0676)	2,436,914

Personal Service.....	1,094,587
Expense and Equipment.....	<u>80,475</u>
From Missouri Air Emission Reduction Fund (0267)	1,175,062

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	119,145
Expense and Equipment.....	<u>57,836</u>
From Volkswagen Environmental Mitigation Trust Proceeds Fund (0268)	176,981
Personal Service.....	303,953
Expense and Equipment.....	<u>49,983</u>
From Natural Resources Protection Fund (0555)	353,936
Personal Service.....	305,742
Expense and Equipment.....	<u>38,691</u>
From Natural Resources Protection Fund - Air Pollution Asbestos Fee	
Subaccount (0584)	344,433
Personal Service.....	3,798,075
Expense and Equipment.....	<u>576,307</u>
From Natural Resources Protection Fund - Air Pollution Permit Fee	
Subaccount (0594)	4,374,382
Personal Service.....	4,770,973
Expense and Equipment.....	<u>897,040</u>
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	5,668,013
Personal Service.....	2,509,653
Expense and Equipment.....	<u>961,489</u>
From Safe Drinking Water Fund (0679)	3,471,142
Personal Service.....	1,264,346
Expense and Equipment.....	<u>249,982</u>
From Soil and Water Sales Tax Fund (0614)	1,514,328
Personal Service.....	2,258,929
Expense and Equipment.....	<u>334,061</u>
From Solid Waste Management Fund (0570)	2,592,990
Personal Service.....	519,389
Expense and Equipment.....	<u>57,249</u>
From Solid Waste Management Fund - Scrap Tire Subaccount (0569)	576,638
Personal Service.....	307,733
Expense and Equipment.....	<u>27,002</u>
From Coal Combustion Residuals Subaccount (0551)	334,735
Personal Service.....	116,915
Expense and Equipment.....	<u>41,166</u>
From Underground Storage Tank Regulation Program Fund (0586)	158,081

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Matter in bold-face type is proposed language.

Personal Service.....	1,044,516
Expense and Equipment.....	<u>94,223</u>
From Water and Wastewater Loan Fund (0649)	<u>1,138,739</u>
Total (Not to exceed 765.86 F.T.E.)	\$47,951,870

SECTION 6.230. — To the Department of Natural Resources

For environmental education and studies, demonstration projects, and technical assistance grants, provided twenty-five percent (25%) flexibility is allowed between funds

From Department of Natural Resources Federal Fund (0140)	\$350,000
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	<u>350,000</u>
Total.....	\$700,000

SECTION 6.235. — To the Department of Natural Resources

For water infrastructure grants and loans, provided that \$224,939,825 be used solely to encumber funds for future fiscal year expenditures, and provided twenty-five percent (25%) flexibility is allowed between funds

From General Revenue Fund (0101)	\$7,468,348
From Water and Wastewater Loan Fund (0649)	374,634,356
From Water and Wastewater Loan Revolving Fund (0602)	382,615,896
From Water Pollution Control (37E) Funds (0330)	20,000
From Water Pollution Control (37G) Funds (0329)	10,000
From Stormwater Control (37H) Funds (0302)	10,000
From Storm Water Loan Revolving Fund (0754)	3,014,141
From Rural Water and Sewer Loan Revolving Fund (0755)	2,000,000
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	<u>11,750,000</u>
Total.....	\$781,522,741

SECTION 6.240. — To the Department of Natural Resources

For grants and contracts to study or reduce water pollution, improve ground water and/or surface water quality, provided that \$9,000,000 be used solely to encumber funds for future fiscal year expenditures, and provided twenty-five percent (25%) flexibility is allowed between funds

From Department of Natural Resources Federal Fund (0140)	\$17,497,460
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	3,300,000

For drinking water sampling, analysis, and public drinking water quality and treatment studies

From Safe Drinking Water Fund (0679)	<u>599,852</u>
Total.....	\$21,397,312

SECTION 6.245. — To the Department of Natural Resources

For closure of concentrated animal feeding operations

From Concentrated Animal Feeding Operation Indemnity Fund (0834)	\$60,000
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Matter in bold-face type is proposed language.

SECTION 6.250. — To the Department of Natural Resources

For demonstration projects and technical assistance related to soil and water conservation

Expense and Equipment

From Department of Natural Resources Federal Fund (0140)\$1,000,000

For grants to local soil and water conservation districts 14,680,570

For soil and water conservation cost-share grants..... 40,000,000

For a conservation monitoring program 400,000

For grants to colleges and universities for research projects on soil erosion and

conservation 400,000

From Soil and Water Sales Tax Fund (0614) 55,480,570

Total.....\$56,480,570

SECTION 6.255. — To the Department of Natural Resources

For grants and contracts for air pollution control activities, provided twenty-five percent (25%) flexibility is allowed between funds

From Department of Natural Resources Federal Fund (0140)\$1,000,000

From Natural Resources Protection Fund - Air Pollution Permit Fee

Subaccount (0594) 100,000

For grants and contracts for air pollution control activities in accordance with the department's beneficiary mitigation plan dated August 6, 2018

From Volkswagen Environmental Mitigation Trust Proceeds Fund (0268) 13,500,000

Total.....\$14,600,000

SECTION 6.260. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the Hazardous Waste Fund

From General Revenue Fund (0101)\$1,279,822

SECTION 6.265. — To the Department of Natural Resources

For the cleanup of hazardous waste or substances

From Department of Natural Resources Federal Fund (0140)\$2,600,000

From Hazardous Waste Fund (0676) 2,803,944

Total.....\$5,403,944

SECTION 6.270. — To the Department of Natural Resources

For implementation provisions of the Solid Waste Management Law in accordance with Sections 260.250 through 260.345, RSMo

From Solid Waste Management Fund (0570)\$7,498,820

From Solid Waste Management Fund - Scrap Tire Subaccount (0569) 2,000,000

For grants to Solid Waste Management Districts for funding community-based reduce, reuse, and recycle grants

From Solid Waste Management Fund (0570) 5,000,000

Total.....\$14,498,820

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.280. — To the Department of Natural Resources

For expenditures of forfeited financial assurance instruments to ensure proper closure and post closure of solid waste landfills, with general revenue expenditures not to exceed collections pursuant to Section 260.228, RSMo

Personal Service.....	\$21,016
Expense and Equipment.....	<u>976,757</u>
From General Revenue Fund (0101)	997,773

For expenditures of forfeited financial assurance instruments to ensure proper closure and post closure of solid waste landfills, provided that ten percent (10%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	1,272
Expense and Equipment.....	<u>423,973</u>
From Post Closure Fund (0198)	425,245
Total.....	\$1,423,018

SECTION 6.285. — To the Department of Natural Resources

For environmental emergency response

From Hazardous Waste Fund (0676).....	\$400,000
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For cleanup of controlled substances

From Department of Natural Resources Federal Fund (0140)	<u>50,000</u>
Total.....	\$450,000

SECTION 6.290. — To the Department of Natural Resources

For petroleum related activities and environmental emergency response

Personal Service.....	\$1,145,916
Expense and Equipment.....	<u>84,673</u>
From Petroleum Storage Tank Insurance Fund (0585)	
(Not to exceed 21.20 F.T.E.).....	\$1,230,589

SECTION 6.300. — To the Department of Natural Resources

For the Missouri Geological Survey, provided three percent (3%) flexibility is allowed from this section to Section 6.415

Personal Service.....	\$2,782,402
Expense and Equipment.....	<u>1,375,049</u>
From General Revenue Fund (0101)	4,157,451

For a statewide dam inspector performing inspections of non-agricultural dams

Personal Service.....	71,546
Expense and Equipment.....	<u>7,477</u>
From General Revenue Fund (0101)	79,023

For the Missouri Geological Survey, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment

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Matter in bold-face type is proposed language.

Personal Service.....	1,895,404
Expense and Equipment.....	<u>426,078</u>
From Department of Natural Resources Federal Fund (0140)	2,321,482
Personal Service	
From Department of Natural Resources Revolving Services Fund (0425)	19,463
Personal Service.....	666,620
Expense and Equipment.....	<u>97,405</u>
From Groundwater Protection Fund (0660)	764,025
Personal Service.....	16,658
Expense and Equipment.....	<u>5,072</u>
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	21,730
Personal Service.....	193,028
Expense and Equipment.....	<u>9,480</u>
From Solid Waste Management Fund (0570)	202,508
Personal Service.....	177,326
Expense and Equipment.....	<u>31,010</u>
From Hazardous Waste Fund (0676).....	208,336
Personal Service.....	17,908
Expense and Equipment.....	<u>4,105</u>
From DNR Cost Allocation Fund (0500)	22,013
Personal Service.....	132,293
Expense and Equipment.....	<u>18,270</u>
From Geologic Resources Fund (0801)	150,563
Personal Service.....	36,572
Expense and Equipment.....	<u>13,761</u>
From Metallic Minerals Waste Management Fund (0575)	50,333
Personal Service.....	494,807
Expense and Equipment.....	<u>202,045</u>
From Mined Land Reclamation Fund (0906)	696,852
Expense and Equipment	
From Abandoned Mine Reclamation Fund (0697)	13
Personal Service.....	8,383
Expense and Equipment.....	<u>7,625</u>
From Oil and Gas Remedial Fund (0699)	16,008
Personal Service.....	100,850
Expense and Equipment.....	<u>12,006</u>
From Oil and Gas Resources Fund (0543)	112,856

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Matter in bold-face type is proposed language.

Personal Service.....	63,420
Expense and Equipment.....	<u>5,401</u>
From Coal Combustion Residuals Subaccount (0551)	68,821
Personal Service.....	11,494
Expense and Equipment.....	<u>2,000</u>
From Natural Resources Protection Fund (0555)	13,494
Personal Service	99,637
Expense and Equipment.....	<u>3,902</u>
From Multipurpose Water Resource Program Fund (0815)	<u>103,539</u>
Total (Not to exceed 116.42 F.T.E.)	\$9,008,510

SECTION 6.305. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the Mined Land Reclamation Fund, provided three percent (3%) flexibility is allowed from this section to Section 6.415

From General Revenue Fund (0101)	\$200,000
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SECTION 6.310. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the Multipurpose Water Resource Program Fund

From General Revenue Fund (0101)	\$31,937,310
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For the Multipurpose Water Resource Program

From Multipurpose Water Resource Program Fund (0815)	32,687,310
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For a drought response plan, water supply availability studies, watershed feasibility studies and related efforts to protect Missouri's water supply interests

From General Revenue Fund (0101)	<u>924,920</u>
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Total.....	\$65,549,540
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SECTION 6.315. — To the Department of Natural Resources

For bond forfeiture funds for the reclamation of mined land

From Mined Land Reclamation Fund (0906)	\$350,000
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For the reclamation of abandoned mined lands

From Department of Natural Resources Federal Fund (0140)	9,232,500
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For contracts for hydrologic studies to assist small coal operators to meet permit requirements

From Department of Natural Resources Federal Fund (0140)	<u>1,000</u>
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Total.....	\$9,583,500
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SECTION 6.320. — To the Department of Natural Resources

For expense and equipment in accordance with the provisions of Section 259.190, RSMo

From Oil and Gas Remedial Fund (0699)	\$150,000
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.322. — To the Department of Natural Resources

For abandoned oil and gas well inventory and plugging

From the Department of Natural Resources Federal Fund (0140)\$3,830,000

SECTION 6.325. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the Missouri Water Development Fund, provided three percent (3%) flexibility is allowed from this section to Section 6.415

From General Revenue Fund (0101)\$667,107

SECTION 6.330. — To the Department of Natural Resources

For interest, operations, and maintenance in accordance with the Clarence Cannon Water Contract

From Missouri Water Development Fund (0174)\$667,107

SECTION 6.340. — To the Department of Natural Resources

For the Division of Energy, provided fifty percent (50%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment

Personal Service.....\$1,641,232

Expense and Equipment.....539,651

From Department of Natural Resources Federal Fund (0140)2,180,883

Personal Service.....782,943

Expense and Equipment.....154,580

From Energy Set-Aside Program Fund (0667)937,523

Personal Service

From DNR Cost Allocation Fund (0500)71,207

Personal Service.....85,073

Expense and Equipment.....20,000From Energy Futures Fund (0935)105,073

Total (Not to exceed 36.00 F.T.E.)\$3,294,686

SECTION 6.345. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Utility Revolving Fund (0874).....\$21,340,068

SECTION 6.350. — To the Department of Natural Resources

For the promotion of energy, renewable energy, and energy efficiency, provided that \$18,000,000 be used solely to encumber funds for future fiscal year expenditures, and further provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment.

From Department of Natural Resources Federal Fund (0140)\$27,874,376

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Energy Set-Aside Program Fund (0667)	22,000,000
From Energy Futures Fund (0935).....	6,000,000
From Utilicare Stabilization Fund (0134)	100
For the Low-Income Weatherization Assistance Program	
From Department of Natural Resources Federal Fund (0140)	9,948,293
From Department of Natural Resources Federal Stimulus - 2021 Fund (2449).....	<u>10,384,342</u>
Total.....	\$76,207,111

SECTION 6.355. — To the Department of Natural Resources

For the Wood Energy Tax Credit Program

For the redemption of tax credits authorized on or before June 30, 2020, under
Sections 135.300 through 135.311, RSMo, provided three percent (3%)
flexibility is allowed from this section to Section 6.415

From General Revenue Fund (0101)	\$3,000,000
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SECTION 6.360. — To the Department of Natural Resources

For Missouri State Parks

For State Parks operations, provided five percent (5%) flexibility is allowed
between funds and no flexibility is allowed between personal service and
expense and equipment

Personal Service.....	\$139,158
Expense and Equipment.....	<u>31,306</u>
From Department of Natural Resources Federal Fund (0140)	170,464

Personal Service.....	1,384,062
Expense and Equipment.....	<u>3,330,407</u>
From State Park Earnings Fund (0415)	4,714,469

Personal Service.....	1,052,792
Expense and Equipment.....	<u>68,159</u>
From DNR Cost Allocation Fund (0500)	1,120,951

Personal Service.....	24,308,482
Expense and Equipment.....	<u>10,700,319</u>
From Parks Sales Tax Fund (0613).....	35,008,801

Personal Service.....	212,079
Expense and Equipment.....	<u>798,977</u>
From Rock Island Trail State Park Endowment Fund (0908)	1,011,056

Personal Service.....	65,094
Expense and Equipment.....	<u>75,000</u>
From Doctor Edmund A. Babler Memorial State Park Fund (0911)	140,094

Expense and Equipment	
From Meramec-Onondaga State Parks Fund (0698)	85,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For Rock Island State Park Expense and Equipment From Department of Natural Resources Federal Stimulus - 2021 Fund (2449).....	158,622
For state park support activities and grants and/or loans for recreational purposes, provided that \$27,400,000 be used solely to encumber funds for future fiscal year expenditures From Department of Natural Resources Federal Fund (0140)	35,650,000
Levy District Payments	15,000
Payment in Lieu of Taxes	20,000
Bruce R. Watkins Center Expense and Equipment.....	100,000
From Parks Sales Tax Fund (0613)	135,000
Bruce R. Watkins Center Planning Expense and Equipment From General Revenue Fund (0101)	150,000
Parks Concession Personal Service	70,732
Parks Concession Expense and Equipment.....	199,350
Gifts to Parks Expense and Equipment.....	750,000
Parks Resale Expense and Equipment	1,100,000
State Park Grants Expense and Equipment.....	450,000
From State Park Earnings Fund (0415)	2,570,082
Total (Not to exceed 665.21 F.T.E.)	\$80,914,539

SECTION 6.365. — To the Department of Natural Resources

For Historic Preservation Operations, provided twenty-five percent (25%) flexibility is allowed between funds and no flexibility is allowed between personal service and expense and equipment Personal Service.....	\$464,139
Expense and Equipment.....	50,026
From Department of Natural Resources Federal Fund (0140)	514,165
Personal Service.....	231,433
Expense and Equipment.....	31,314
From Historic Preservation Revolving Fund (0430)	262,747
Personal Service.....	117,473
Expense and Equipment.....	10,853
From Economic Development Advancement Fund (0783)	128,326
For historic preservation grants and contracts, provided twenty-five percent (25%) flexibility is allowed between funds From Department of Natural Resources Federal Fund (0140)	600,000
From Historic Preservation Revolving Fund (0430)	1,325,000
Total (Not to exceed 17.25 F.T.E.)	\$2,830,238

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.370. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the Historic Preservation Revolving Fund, provided three percent (3%) flexibility is allowed from this section to Section 6.415

From General Revenue Fund (0101)\$1,354,619

SECTION 6.375. — To the Department of Natural Resources

For expenditures of payments received for damages to the state's natural resources, provided twenty-five percent (25%) flexibility is allowed between funds

Expense and Equipment

From Natural Resources Protection Fund (0555)\$4,300,000

From Natural Resources Protection Fund - Water Pollution Permit Fee

Subaccount (0568) 100,000

Total.....\$4,400,000

SECTION 6.380. — To the Department of Natural Resources

Expense and Equipment

From Department of Natural Resources Revolving Services Fund (0425)\$3,021,745

SECTION 6.385. — To the Department of Natural Resources

For refunds, provided seventy-five percent (75%) flexibility is allowed between funds

From Department of Natural Resources Federal Fund (0140)\$9,445

From Missouri Air Emission Reduction Fund (0267) 16,038

From State Park Earnings Fund (0415) 84,946

From Department of Natural Resources Revolving Services Fund (0425) 1,419

From Historic Preservation Revolving Fund (0430) 165

From DNR Cost Allocation Fund (0500) 3,478

From Oil and Gas Resources Fund (0543)..... 100

From Natural Resources Protection Fund - Water Pollution Permit Fee

Subaccount (0568) 46,982

From Solid Waste Management Fund - Scrap Tire Subaccount (0569) 1,165

From Solid Waste Management Fund (0570) 1,165

From Metallic Minerals Waste Management Fund (0575) 165

From Natural Resources Protection Fund - Air Pollution Asbestos Fee

Subaccount (0584)..... 9,930

From Underground Storage Tank Regulation Program Fund (0586) 4,965

From Natural Resources Protection Fund - Air Pollution Permit Fee

Subaccount (0594) 62,082

From Water and Wastewater Loan Revolving Fund (0602) 10,498

From Parks Sales Tax Fund (0613) 25,723

From Soil and Water Sales Tax Fund (0614) 329

From Water and Wastewater Loan Fund (0649) 165

From Environmental Radiation Monitoring Fund (0656)..... 250

From Groundwater Protection Fund (0660) 3,165

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Energy Set-Aside Program Fund (0667)	2,204
From Hazardous Waste Fund (0676).....	59,688
From Safe Drinking Water Fund (0679)	14,726
From Abandoned Mine Reclamation Fund (0697)	165
From Oil and Gas Remedial Fund (0699)	650
From Storm Water Loan Revolving Fund (0754)	200
From Rural Water and Sewer Loan Revolving Fund (0755)	165
From Geologic Resources Fund (0801)	4,400
From Confederate Memorial Park Fund (0812)	165
From Concentrated Animal Feeding Operation Indemnity Fund (0834)	450
From Mined Land Reclamation Fund (0906)	10,095
From Doctor Edmund A. Babler Memorial State Park Fund (0911)	417
From Energy Futures Fund (0935).....	4,500
Total.....	\$380,000

SECTION 6.390. — To the Department of Natural Resources

For sales tax on retail sales, provided seventy-five percent (75%) flexibility is allowed between funds

From State Park Earnings Fund (0415)	\$30,000
From Department of Natural Resources Revolving Services Fund (0425)	1,000
Total.....	\$31,000

SECTION 6.395. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury, to the DNR Cost Allocation Fund for real property leases, related services, utilities, systems furniture, structural modifications, capital improvements and related expenses, and for the purpose of funding the consolidation of Information Technology Services, provided five percent (5%) flexibility is allowed between DNR Cost Allocation transfer, Cost Allocation HB 13 transfer, and Cost Allocation Information Technology Services Division transfer

For Cost Allocation Transfer, provided five percent (5%) flexibility is allowed between funds

From Missouri Air Emission Reduction Fund (0267)	\$227,832
From State Park Earnings Fund (0415)	440,972
From Historic Preservation Revolving Fund (0430)	28,244
From Natural Resources Protection Fund (0555)	39,239
From Natural Resources Protection Fund - Water Pollution Permit Fee Subaccount (0568)	1,118,952
From Solid Waste Management Fund - Scrap Tire Subaccount (0569)	112,101
From Solid Waste Management Fund (0570)	530,675
From Metallic Minerals Waste Management Fund (0575)	5,881
From Natural Resources Protection Fund - Air Pollution Asbestos Fee Subaccount (0584)	69,511
From Petroleum Storage Tank Insurance Fund (0585)	226,762
From Underground Storage Tank Regulation Program Fund (0586)	28,811

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Natural Resources Protection Fund - Air Pollution Permit Fee	
Subaccount (0594).....	877,616
From Parks Sales Tax Fund (0613)	3,507,489
From Soil and Water Sales Tax Fund (0614)	305,625
From Water and Wastewater Loan Fund (0649)	182,928
From Environmental Radiation Monitoring Fund (0656)	6,196
From Groundwater Protection Fund (0660)	92,362
From Energy Set-Aside Program Fund (0667)	197,559
From Hazardous Waste Fund (0676)	492,887
From Safe Drinking Water Fund (0679)	627,017
From Geologic Resources Fund (0801)	19,515
From Mined Land Reclamation Fund (0906)	68,552
From Energy Futures Fund (0935)	22,038
Total DNR Cost Allocation Transfer.....	9,228,764

For Cost Allocation HB 13 Transfer, provided twenty-five percent (25%) flexibility is allowed between funds

From Missouri Air Emission Reduction Fund (0267)	4,828
From State Park Earnings Fund (0415)	8,983
From Historic Preservation Revolving Fund (0430)	575
From Natural Resources Protection Fund (0555)	832
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568)	23,672
From Solid Waste Management Fund - Scrap Tire Subaccount (0569).....	2,375
From Solid Waste Management Fund (0570)	10,948
From Metallic Minerals Waste Management Fund (0575)	57
From Natural Resources Protection Fund - Air Pollution Asbestos Fee	
Subaccount (0584).....	1,473
From Petroleum Storage Tank Insurance Fund (0585)	4,569
From Underground Storage Tank Regulation Program Fund (0586)	610
From Natural Resources Protection Fund - Air Pollution Permit Fee	
Subaccount (0594).....	18,589
From Parks Sales Tax Fund (0613)	71,463
From Soil and Water Sales Tax Fund (0614)	6,473
From Environmental Radiation Monitoring Fund (0656)	131
From Groundwater Protection Fund (0660)	899
From Water and Wastewater Loan Fund (0649)	3,874
From Energy Set-Aside Program Fund (0667)	1,104
From Hazardous Waste Fund (0676)	10,147
From Safe Drinking Water Fund (0679)	13,281
From Geologic Resources Fund (0801).....	190
From Mined Land Reclamation Fund (0906)	667
From Energy Futures Fund (0935).....	123
Total Cost Allocation HB 3013 Transfer.....	185,863

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For Cost Allocation Information Technology Services Division Transfer, provided five percent (5%) flexibility is allowed between funds	
From Missouri Air Emission Reduction Fund (0267)	156,776
From State Park Earnings Fund (0415)	201,934
From Historic Preservation Revolving Fund (0430)	12,934
From Natural Resources Protection Fund (0555)	27,002
From Natural Resources Protection Fund - Water Pollution Permit Fee Subaccount (0568)	772,424
From Solid Waste Management Fund - Scrap Tire Subaccount (0569)	77,139
From Solid Waste Management Fund (0570)	389,486
From Metallic Minerals Waste Management Fund (0575)	9,628
From Natural Resources Protection Fund - Air Pollution Asbestos Fee Subaccount (0584)	47,832
From Petroleum Storage Tank Insurance Fund (0585)	176,708
From Underground Storage Tank Regulation Program Fund (0586)	19,826
From Natural Resources Protection Fund - Air Pollution Permit Fee Subaccount (0594)	603,909
From Parks Sales Tax Fund (0613)	1,606,188
From Soil and Water Sales Tax Fund (0614)	444,821
From Water and Wastewater Loan Fund (0649)	125,877
From Environmental Radiation Monitoring Fund (0656)	4,264
From Energy Set-Aside Program Fund (0667)	83,855
From Hazardous Waste Fund (0676)	363,327
From Safe Drinking Water Fund (0679)	431,466
From Geologic Resources Fund (0801)	31,943
From Energy Futures Fund (0935)	9,354
Total Cost Allocation Information Technology Services Division Transfer	<u>5,596,693</u>
Total	\$15,011,320

SECTION 6.400. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the OA Information
Technology - Federal and Other Fund for the purpose of funding the
consolidation of Information Technology Services

From Department of Natural Resources Federal Fund (0140)\$2,693,271

SECTION 6.405. — To the Department of Natural Resources

For the State Environmental Improvement and Energy Resources Authority
For all costs incurred in the operation of the authority, including special studies

Personal Service.....\$560,836

Expense and Equipment..... 601,000

From State Environmental Improvement Authority Fund (0654)

(Not to exceed 8.00 F.T.E.).....\$1,161,836

SECTION 6.410. — To the Department of Natural Resources

For the Board of Trustees for the Petroleum Storage Tank Insurance Fund

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the general administration and operation of the fund, provided five percent (5%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$281,685
Expense and Equipment.....	<u>2,095,354</u>
From Petroleum Storage Tank Insurance Fund (0585)	2,377,039
For investigating and paying claims obligations of the Petroleum Storage Tank Insurance Fund	
From Petroleum Storage Tank Insurance Fund (0585)	20,000,000
For refunds of erroneously collected receipts	
From Petroleum Storage Tank Insurance Fund (0585)	<u>70,000</u>
Total (Not to exceed 4.00 F.T.E.).....	\$22,447,039

SECTION 6.415. — To the Department of Natural Resources

Funds are to be transferred out of the State Treasury to the State Legal Expense Fund for payment of claims, premiums, and expense as provided by Section 105.711 through 105.726, RSMo	
From General Revenue Fund (0101)	\$1

SECTION 6.600. — To the Department of Conservation

For Habitat Management, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625	
Personal Service.....	\$18,031,008
Expense and Equipment.....	<u>24,532,407</u>
From Conservation Commission Fund (0609) (Not to exceed 428.37 F.T.E.)	\$42,563,415

SECTION 6.605. — To the Department of Conservation

For Fish and Wildlife Management, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625	
Personal Service.....	\$23,637,281
Expense and Equipment.....	<u>12,510,355</u>
From Conservation Commission Fund (0609) (Not to exceed 496.68 F.T.E.)	\$36,147,636

SECTION 6.610. — To the Department of Conservation

For Recreation Management, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625	
Personal Service.....	\$12,132,505
Expense and Equipment.....	<u>7,496,543</u>
From Conservation Commission Fund (0609) (Not to exceed 289.71 F.T.E.)	\$19,629,048

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.615. — To the Department of Conservation

For Education and Communication, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625

Personal Service.....	\$9,980,858
Expense and Equipment.....	<u>9,733,597</u>
From Conservation Commission Fund (0609) (Not to exceed 209.65 F.T.E.)	\$19,714,455

SECTION 6.620. — To the Department of Conservation

For Conservation Business Services, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625

Personal Service.....	\$17,486,863
Expense and Equipment.....	<u>38,841,685</u>
From Conservation Commission Fund (0609) (Not to exceed 331.07 F.T.E.)	\$56,328,548

SECTION 6.625. — To the Department of Conservation

For Staff Development and Benefits, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and ten percent (10%) flexibility is allowed between Sections 6.600, 6.605, 6.610, 6.615, 6.620, and 6.625

Personal Service.....	\$17,088,802
Expense and Equipment.....	<u>2,444,891</u>
From Conservation Commission Fund (0609) (Not to exceed 71.03 F.T.E.)	\$19,533,693

SECTION 6.626. — To the Department of Conservation

For vehicle checkpoints where motorists may be detained without individualized reasonable suspicion and related administrative expenses

From Conservation Commission Fund (0609)	\$1
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PART 2**SECTION 6.700.** — To the Department of Agriculture, the Department of Natural Resources, and the Department of Conservation

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

SECTION 6.705. — To the Department of Natural Resources

In reference to Section 6.200 through and including Section 6.415 of Part 1 of this act:

No funds shall be expended on land purchases for which the Department of Natural Resources did not provide notice to the General Assembly, in writing, at least sixty (60) days prior to the purchase.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 6.710. — To the Department of Natural Resources

In reference to Section 6.200 through and including Section 6.415 of Part 1 of this act:

No funds shall be spent to implement or enforce any portion of the rule proposed by the United States Army Corps of Engineers and the United States Environmental Protection Agency on June 29, 2015, 80 Federal Register 37054, known as the 2015 “WOTUS” rule, that purported to revise the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251, et seq., without the approval of the General Assembly.

SECTION 6.715. — To the Department of Natural Resources

In reference to Section 6.200 through and including Section 6.415 of Part 1 of this act:

No funds shall be spent to implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

SECTION 6.720. — To the Department of Conservation

In reference to Section 6.600 through and including Section 6.627 of Part 1 of this act:

No funds shall be expended on the development, maintenance, use, transmission, or storage of any landowner registry for which any data are collected incident to a landowner request for a hunting permit.

SECTION 6.725. — To the Department of Conservation

In reference to all sections, except Section 6.626, in Part 1 and Part 2 of this act:

No funds shall be expended for vehicle checkpoints where motorists may be detained without individualized reasonable suspicion, and related administrative expenses.

SECTION 6.730. — To the Department of Natural Resources

In reference to Section 6.200 through and including Section 6.415 of Part 1 of this Act:

No funds shall be spent to implement land improvement projects previously rejected by a local Tax Increment Financing Commission.

PART 3**SECTION 6.800.** — To the Department of Agriculture, the Department of Natural Resources, and the Department of Conservation

Appendix of One-time Appropriations

Section	Line	Amount	F.T.E. Amount
6.005	12	\$544	0
6.005	19	\$1,206	0
6.005	24	\$62	0
6.005	27	\$62	0
6.005	32	\$207	0
6.005	35	\$44	0
6.005	40	\$78	0
6.005	45	\$270	0
6.005	50	\$27	0
6.100	13	\$168,000	0
6.105	18	\$296,000	0
6.200	8	\$128	0
6.200	16	\$343	0
6.200	21	\$2,029	0
6.225	15	\$3,314	0
6.225	66	\$3,315	0
6.260	4	\$619,416	0
6.280	6	\$21,016	0
6.280	7	\$976,757	0
6.300	16	\$2,368	0
6.300	5	\$330,019	0
6.325	5	\$190,009	0
6.330	4	\$190,009	0
6.345	4	\$9,040,068	0
6.620	7	\$552,500	0

Department of Agriculture Totals

General Revenue Fund.....\$12,487,054
Federal Funds..... 7,144,886
Other Funds..... 28,576,974
Total.....\$48,208,914

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Department of Natural Resources Totals

General Revenue Fund.....	\$58,273,408
Federal Funds.....	106,177,494
Other Funds.....	<u>763,068,302</u>
Total.....	\$927,519,204

Department of Conservation Totals

Total - Other Funds	\$193,916,796
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Approved June 30, 2022

CCS SCS HCS HB 3007

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Economic Development, the Department of Commerce and Insurance, and the Department of Labor and Industrial Relations

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023 as follows:

PART 1

SECTION 7.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarifications of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 7.005. — To the Department of Economic Development

For the Regional Engagement Division, provided that ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided that three percent (3%) flexibility is allowed from this section to Section 7.160

Personal Service.....	\$1,159,449
Expense and Equipment.....	<u>827,626</u>
From General Revenue Fund (0101)	1,987,075
Personal Service	
From Department of Economic Development - Community Development Block	
Grant (Administration) Fund (0123)	56,064
Personal Service.....	426,604
Expense and Equipment.....	<u>58,558</u>
From Job Development and Training Fund (0155)	485,162
Personal Service	
From Department of Economic Development Administrative Fund (0547)	36,565
Expense and Equipment	
From International Promotions Revolving Fund (0567)	1,402,238
Expense and Equipment	
From Economic Development Advancement Fund (0783)	355,000
For regional engagement and minority participation and inclusion efforts	
Personal Service	
From General Revenue Fund (0101)	80,317
For International Trade and Investment Offices	
From Economic Development Advancement Fund (0783)	1,500,000
For business recruitment and marketing	
From Economic Development Advancement Fund (0783)	<u>4,000,000</u>
Total (Not to exceed 36.06 F.T.E.)	\$9,902,421

SECTION 7.010. — To the Department of Economic Development

For Delta Regional Authority Organizational Dues

From Economic Development Advancement Fund (0783) \$150,644

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 7.015. — To the Department of Economic Development

For the Business and Community Solutions Division, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 7.160

Personal Service.....	\$1,188,871
Expense and Equipment.....	<u>228,131</u>
From General Revenue Fund (0101)	1,417,002

Personal Service.....	1,057,473
Expense and Equipment.....	<u>252,549</u>
From Department of Economic Development - Community Development Block Grant (Administration) Fund (0123)	1,310,022

Personal Service.....	54,587
Expense and Equipment.....	<u>948,259</u>
From Department of Economic Development Federal Stimulus - 2021 Fund (2451)	1,002,846

For a minority business incubator organization located in the north geographic region of a city not within a county, for a program to create a destination featuring minority-owned business ventures

From Budget Stabilization Fund (0522)	500,000
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For a non-profit organization, located in a city not within a county, established in 2012 that focuses on increasing the number of young community leaders

From Budget Stabilization Fund (0522)	500,000
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For a non-profit organization, located in a county with more than one million inhabitants, that helps families thrive and achieve self-sustainability through dynamic application of evidence-based training and workforce development programs

From Budget Stabilization Fund (0522)	6,000,000
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Personal Service	
From Department of Economic Development Administrative Fund (0547)	314,035

Personal Service.....	49,935
Expense and Equipment.....	<u>3,890</u>
From State Supplemental Downtown Development Fund (0766)	53,825

Personal Service	
From Economic Development Advancement Fund (0783)	189,445

For refunding any overpayment or erroneous payment of any amount that is credited to the Economic Development Advancement Fund

From Economic Development Advancement Fund (0783)	<u>10,000</u>
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Total (Not to exceed 47.00 F.T.E.)	\$11,297,175
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 7.020. — To the Department of Economic Development
 For tourism infrastructure pursuant to Section 99.585, RSMo
 From General Revenue Fund (0101)\$1,975,000

SECTION 7.025. — To the Department of Economic Development
 Funds are to be transferred out of the State Treasury to the Missouri
 Technology Investment Fund
 From General Revenue Fund (0101)\$16,000,000
 From Budget Stabilization Fund (0522) 15,000,000
 Total.....\$31,000,000

SECTION 7.030. — To the Department of Economic Development
 For the Missouri Technology Corporation, provided that all funds appropriated
 to the Missouri Technology Corporation by the General Assembly shall be
 subject to the provisions of Section 196.1127, RSMo
 For administration and for science and technology development, including but
 not limited to, innovation centers and the Missouri Manufacturing Extension
 Partnership
 From Missouri Technology Investment Fund (0172)\$8,500,000

For the purpose of providing grants to state based organizations creating
 infrastructure for industries that are fundamental to the national security of
 the United States where the manufacturing of essential products have
 become reliant on production outside of the United States which potentially
 jeopardizes a reliable supply chain for domestic consumption. Furthermore,
 grants shall focus on such manufacturing where Missouri has an inherent
 connection or advantage creating an environment for significant growth in
 Missouri's economy. Relevant investment sectors shall include but not be
 limited to advanced and innovative manufacturing of active pharmaceutical
 ingredients and semiconductors. Grants shall provide for investment and
 infrastructure focused on creating a hub of such industries in Missouri
 From Missouri Technology Investment Fund (0172) 15,000,000
 Total.....\$23,500,000

SECTION 7.035. — To the Department of Economic Development
 For the State Small Business Credit Initiative
 From Department of Economic Development Federal Stimulus - 2021
 Fund (2451)\$94,855,803

SECTION 7.038. — To the Department of Economic Development
 For a mini-grant program to provide grants in the amount of \$3,000 to new
 businesses, for the purpose of covering startup and other operational costs
 associated with the first year of opening and operating a business
 From Budget Stabilization Fund (0522) \$500,000

SECTION 7.040. — To the Department of Economic Development
 For the Business and Community Solutions Division

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

For the Community Development Block Grant Program	
For projects awarded before July 1, 2022	
Expense and Equipment.....	\$70,000,000
For projects awarded on or after July 1, 2022, provided that no funds shall be expended at higher education institutions not headquartered in Missouri for purposes of accreditation	
Expense and Equipment.....	<u>35,000,000</u>
From Department of Economic Development - Community Development Block Grant (Pass-through) Fund (0118)	105,000,000
For projects to support local community development activities	
Expense and Equipment	
From Department of Economic Development Federal Stimulus Fund (2360)	<u>30,123,396</u>
Total.....	\$135,123,396

SECTION 7.045. — To the Department of Economic Development

For the Business and Community Solutions Division

For the Missouri Main Street Program

From Economic Development Advancement Fund (0783) \$700,000

***SECTION 7.046.** — To the Department of Economic Development

For a program to provide grants to businesses in low-income communities, as defined by the U.S. Department of Housing and Urban Development, in the amount of \$15,000 each, for the purpose of repairing the facades of such businesses

From Economic Development Advancement Fund (0783)..... \$300,000

*I hereby veto \$300,000 Economic Development Advancement Fund for a program to provide grants to businesses in low-income communities for building facade repairs. This is not an eligible use of the Economic Development Advancement Fund (EDAF) under Section 620.1900, RSMo. By statute, EDAF shall be used as follows: 37.5% shall be appropriated for business recruitment and marketing (Section 620.1900.2(2), RSMo); at least 50% shall be appropriated for marketing, technical assistance, and training, contracts for specialized economic development services, and new initiatives and pilot programming to address economic trends (Section 620.1900.5, RSMo); and the remainder may be appropriated toward the cost of staffing and operating expenses for DED program activities and for accountability functions (Section 620.1900.5, RSMo).

Said section is vetoed in its entirety from \$300,000 to \$0 from Economic Development Advancement Fund.

From \$300,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 7.050. — To the Department of Economic Development

Funds are to be transferred out of the State Treasury to the Missouri Supplemental Tax Increment Financing Fund, provided three percent (3%) flexibility is allowed from this section to Section 7.160

From General Revenue Fund (0101)\$36,856,615

SECTION 7.055. — To the Department of Economic Development

For Missouri supplemental tax increment financing as provided in Section

99.845, RSMo. This appropriation may be used for the following projects: Kansas City Midtown, Independence Santa Fe Trail Neighborhood, St. Louis City Convention Hotel, Springfield Jordan Valley Park, Kansas City Bannister Mall/Three Trails Office, St. Louis Lambert Airport Eastern Perimeter, Old Post Office in Kansas City, 1200 Main Garage Project in Kansas City, Riverside Levee, Branson Landing, Eastern Jackson County Bass Pro, Kansas City East Village Project, St. Louis Innovation District, National Geospatial Agency West, Fenton Logistics Park, and IDEA Commons. The presence of a project in this list is not an indication said project is nor shall be approved for tax increment financing. A listed project must have completed the application process and a certificate of approval must have been issued pursuant to Section 99.845 (10), RSMo, before a project may be disbursed funds subject to the appropriation

From Missouri Supplemental Tax Increment Financing Fund (0848)\$36,856,615

SECTION 7.060. — To the Department of Economic Development

Funds are to be transferred out of the State Treasury, such amounts generated by development projects, as required by Section 99.963, RSMo, to the State Supplemental Downtown Development Fund, provided three percent (3%) flexibility is allowed from this section to Section 7.160

From General Revenue Fund (0101)\$1,661,327

SECTION 7.065. — To the Department of Economic Development

For the Missouri Downtown Economic Stimulus Act as provided in Sections 99.915 to 99.980, RSMo

From State Supplemental Downtown Development Fund (0766)\$1,614,885

SECTION 7.070. — To the Department of Economic Development

Funds are to be transferred out of the State Treasury, such amounts generated by redevelopment projects, as required by Section 99.1092, RSMo, to the Downtown Revitalization Preservation Fund, provided that not more than three percent (3%) flexibility is allowed from this section to Section 7.160

From General Revenue Fund (0101)\$250,000

SECTION 7.075. — To the Department of Economic Development

For the Downtown Revitalization Preservation Program as provided in Sections 99.1080 to 99.1092, RSMo

From Downtown Revitalization Preservation Fund (0907)\$250,000

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SECTION 7.080. — To the Department of Economic Development

For the Business and Community Solutions Division

For the Missouri Community Service Commission

Personal Service.....	\$342,156
Expense and Equipment.....	<u>16,589,860</u>
From Community Service Commission Fund (0197)	16,932,016

Personal Service.....	61,190
Expense and Equipment.....	<u>3,007,000</u>

From Department of Economic Development Federal Stimulus - 2021

Fund (2451)	<u>3,068,190</u>
Total (Not to exceed 6.00 F.T.E.)	\$20,000,206

SECTION 7.085. — To the Department of Economic Development

For the Missouri One Start Division, provided ten percent (10%) flexibility is

allowed between personal service and expense and equipment, and further

provided three percent (3%) flexibility is allowed from this section to

Section 7.160

Personal Service.....	\$706,819
Expense and Equipment.....	<u>106,320</u>

From General Revenue Fund (0101) (Not to exceed 12.00 F.T.E.)	\$813,139
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SECTION 7.095. — To the Department of Economic Development

For new and expanding industry training programs and basic industry retraining programs

From General Revenue Fund (0101)	\$15,116,835
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From Missouri One Start Job Development Fund (0600)	<u>2,448,221</u>
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Total.....	\$17,565,056
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SECTION 7.096. — To the Department of Economic Development

For the innovation center located in a city with more than sixteen thousand but

fewer than eighteen thousand inhabitants and located in more than one

county

From General Revenue Fund (0101)	\$1,900,000
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SECTION 7.100. — To the Department of Economic Development

For the Missouri One Start Community College New Jobs Training Program

For training of workers by community college districts

From Missouri One Start Community College New Jobs Training Fund (0563)	\$11,000,000
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SECTION 7.105. — To the Department of Economic Development

For the Missouri One Start Community College Job Retention Training Program

From Missouri One Start Community College Job Retention Training

Fund (0717)	\$16,000,000
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Matter in bold-face type is proposed language.

SECTION 7.110. — To the Department of Economic Development

For the Strategy and Performance Division, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided that not more than three percent (3%) flexibility is allowed from this section to Section 7.160

Personal Service.....	\$855,961
Expense and Equipment.....	<u>205,779</u>
From General Revenue Fund (0101)	1,061,740
Personal Service.....	72,507
Expense and Equipment.....	<u>12,765</u>
From Job Development and Training Fund (0155)	85,272
Personal Service	
From Department of Economic Development Administrative Fund (0547)	182,846
Expense and Equipment	
From Economic Development Advancement Fund (0783)	<u>200,000</u>
Total (Not to exceed 15.41 F.T.E.)	\$1,529,858

SECTION 7.115. — To the Department of Economic Development

For Broadband Grants

Personal Service.....	\$54,587
Expense and Equipment.....	<u>42,189,751</u>
From Department of Economic Development Federal Stimulus Fund (2360)	42,244,338
Personal Service.....	25,871
Expense and Equipment.....	<u>6,974,129</u>
From Department of Economic Development Federal Fund (0129)	<u>7,000,000</u>
Total (Not to exceed 1.00 F.T.E.).....	\$49,244,338

SECTION 7.120. — To the Department of Economic Development

For the response to, and analysis of, the impact of Missouri's military bases on the nation's military readiness and the state's economy and advocacy of the continued presence and expansion of military installations in the state, provided five percent (5%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 7.160

Personal Service.....	\$181,220
Expense and Equipment.....	<u>440,120</u>
From General Revenue Fund (0101)	621,340
For the National Security Crossroads Initiative	
From Department of Economic Development Federal Fund (0129)	<u>548,757</u>
Total (Not to exceed 1.50 F.T.E.)	\$1,170,097

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SECTION 7.125. — To the Department of Economic Development
 For the Missouri Military Community Reinvestment Program, provided three
 percent (3%) flexibility is allowed from this section to Section 7.160
 From General Revenue Fund (0101) \$300,000

SECTION 7.130. — To the Department of Economic Development
 Funds are to be transferred out of the State Treasury to the Division of
 Tourism Supplemental Revenue Fund, provided three percent (3%)
 flexibility is allowed from this section to Section 7.160
 From General Revenue Fund (0101) \$19,835,240
 From Budget Stabilization Fund (0522) 5,850,000
 Total..... \$25,685,240

SECTION 7.135. — To the Department of Economic Development
 For the Division of Tourism to include coordination of advertising of at least
 \$70,000 for the Missouri State Fair, provided ten percent (10%) flexibility is
 allowed between personal service and expense and equipment
 Personal Service..... \$1,721,453
 Expense and Equipment..... 21,039,900
 From Division of Tourism Supplemental Revenue Fund (0274) 22,761,353

Expense and Equipment
 From Department of Economic Development Federal Stimulus - 2021
 Fund (2451) 3,000,000

For the Missouri Film Office
 Expense and Equipment
 From Division of Tourism Supplemental Revenue Fund (0274) 200,115

For a redevelopment authority to support the history and art form of American
 Jazz located within a home rule city with more than four hundred thousand
 inhabitants and located in more than one county
 From Division of Tourism Supplemental Revenue Fund (0274) 150,000

For a museum, located within a home rule city with more than 400,000
 inhabitants and located in more than one county, with archives which
 highlight African-American cultural contributions and history in Missouri
 From Division of Tourism Supplemental Revenue Fund (0274) 175,000

For sponsorship of events that promote Missouri tourism
 From Division of Tourism Supplemental Revenue Fund (0274) 1,000,000

For a celebration commemorating the emancipation of black slaves in the United
 States, provided that fifty percent (50%) of such funds shall be disbursed for
 the purposes of this section no later than December 31, 2022, and further
 provided that the department shall provide the General Assembly with a

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report by December 31, 2022, of its efforts to implement the provision of this section	
From Division of Tourism Supplemental Revenue Fund (0274).....	500,000
For a Route 66 festival in a home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants	
From Division of Tourism Supplemental Revenue Fund (0274).....	250,000
Expense and Equipment	
From Tourism Marketing Fund (0650)	<u>24,500</u>
Total (Not to exceed 30.50 F.T.E.)	\$28,060,968
SECTION 7.136. — To the Department of Economic Development	
Funds are to be transferred out of the State Treasury to the Major Economic Convention Event in Missouri Fund	
From General Revenue Fund (0101)	\$1,000,000
SECTION 7.137. — To the Department of Economic Development	
For the Meet in Missouri Act, as provided in Section 620.1620, RSMo	
From Major Economic Convention Event in Missouri Fund (0593)	\$1,000,000
SECTION 7.140. — To the Department of Economic Development	
For the Missouri Housing Development Commission	
For general administration of affordable housing activities	
For funding housing subsidy grants or loans	
From Missouri Housing Trust Fund (0254)	\$6,500,000
For the Emergency Solutions Grant Program	
From Emergency Solutions Grant Fund (0111).....	4,130,000
For the Emergency Rental Assistance Program	
From Housing Assistance Federal Stimulus - 2021 Fund (2450).....	<u>216,000,000</u>
Total.....	\$226,630,000
SECTION 7.150. — To the Department of Economic Development	
For the Administrative Services Division, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 7.160	
Personal Service.....	\$951,245
Annual salary adjustment in accordance with Section 105.005, RSMo.....	5,115
Expense and Equipment.....	<u>113,317</u>
From General Revenue Fund (0101)	1,069,677
Personal Service.....	55,018
Expense and Equipment.....	<u>1,777</u>
From Department of Economic Development - Community Development Block Grant (Administration) Fund (0123)	56,795

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Personal Service.....	352,189
Annual salary adjustment in accordance with Section 105.005, RSMo.....	4,060
Expense and Equipment.....	195,476
For refunds	12,000
From Department of Economic Development Administrative Fund (0547)	<u>563,725</u>
Total (Not to exceed 16.54 F.T.E.)	\$1,690,197

SECTION 7.155. — To the Department of Economic Development

Funds are to be transferred out of the State Treasury, for payment of administrative costs, to the Department of Economic Development Administrative Fund

From Division of Tourism Supplemental Revenue Fund (0274)	\$162,974
From Economic Development Advancement Fund (0783)	<u>117,695</u>
Total.....	\$280,669

SECTION 7.160. — To the Department of Economic Development

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)	\$1
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SECTION 7.400. — To the Department of Commerce and Insurance

For Administrative Services

Personal Service.....	\$212,568
Expense and Equipment.....	<u>49,838</u>
From DCI Administrative Fund (0503) (Not to exceed 3.07 F.T.E).....	\$262,406

SECTION 7.405. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for administrative services, to the DCI Administrative Fund, provided three percent (3%) flexibility is allowed from this section to Section 7.555

From General Revenue Fund (0101)	\$10,000
From Division of Credit Unions Fund (0548)	40,000
From Division of Finance Fund (0550)	100,000
From Insurance Dedicated Fund (0566)	50,000
From Manufactured Housing Fund (0582)	5,000
From Public Service Commission Fund (0607)	100,000
From Professional Registration Fees Fund (0689)	<u>200,000</u>
Total.....	\$505,000

SECTION 7.410. — To the Department of Commerce and Insurance

For Insurance Operations, including market conduct and financial examinations of insurance companies, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment and further provided twenty percent (20%) flexibility is allowed between funds within this section

Personal Service.....	\$10,071,523
Expense and Equipment.....	<u>1,406,424</u>

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For refunds	75,000
From Insurance Dedicated Fund (0566)	11,552,947
Personal Service.....	3,413,949
Expense and Equipment.....	400,000
For refunds	60,000
From Insurance Examiners Fund (0552)	3,873,949
For consumer restitution payments	
From Consumer Restitution Fund (0792)	5,000
Total (Not to exceed 195.00 F.T.E.)	\$15,431,896

SECTION 7.415. — To the Department of Commerce and Insurance

For programs providing counseling on health insurance coverage and benefits to
Medicare beneficiaries

From Federal - Missouri Department of Insurance Fund (0192)	\$1,650,000
From Insurance Dedicated Fund (0566)	200,000
Total.....	\$1,850,000

SECTION 7.420. — To the Department of Commerce and Insurance

For the Division of Credit Unions

Personal Service.....	\$1,318,341
Expense and Equipment.....	156,220
From Division of Credit Unions Fund (0548) (Not to exceed 15.50 F.T.E.)	\$1,474,561

SECTION 7.425. — To the Department of Commerce and Insurance

For the Division of Finance

Personal Service.....	\$9,090,416
Expense and Equipment.....	852,616
For Conference of State Bank Supervisors dues.....	150,000
From Division of Finance Fund (0550) (Not to exceed 107.15 F.T.E.)	\$10,093,032

SECTION 7.430. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for the purpose of
supervising state chartered savings and loan associations, to the Division of
Finance Fund

From Division of Savings and Loan Supervision Fund (0549)	\$125,000
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SECTION 7.435. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for the purpose of
administering the Residential Mortgage Licensing Law, to the Division of
Finance Fund

From Residential Mortgage Licensing Fund (0261)	\$1,500,000
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SECTION 7.440. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, in accordance with
Section 369.324, RSMo, to the General Revenue Fund

From Division of Savings and Loan Supervision Fund (0549)	\$50,000
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SECTION 7.445. — To the Department of Commerce and Insurance

For general administration of the Division of Professional Registration, provided
 five percent (5%) flexibility is allowed between personal service and
 expense and equipment

Personal Service.....	\$4,287,238
Expense and Equipment.....	1,076,104
For examination and other fees	102,000
For Real Estate Appraiser Committee Fees.....	900,000
For refunds	<u>125,000</u>
From Professional Registration Fees Fund (0689)	
(Not to exceed 90.00 F.T.E.)	\$6,490,342

SECTION 7.450. — To the Department of Commerce and Insurance

For the State Board of Accountancy

Personal Service.....	\$349,898
Expense and Equipment.....	<u>249,442</u>
From State Board of Accountancy Fund (0627) (Not to exceed 7.00 F.T.E.)	\$599,340

SECTION 7.455. — To the Department of Commerce and Insurance

For the State Board for Architects, Professional Engineers, Professional Land
 Surveyors and Professional Landscape Architects

Personal Service.....	\$436,149
Expense and Equipment.....	<u>304,394</u>
From State Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects Fund (0678) (Not to exceed 9.00 F.T.E.)	\$740,543

SECTION 7.460. — To the Department of Commerce and Insurance

For the State Board of Chiropractic Examiners

Expense and Equipment	
From State Board of Chiropractic Examiners Fund (0630)	\$132,309

SECTION 7.465. — To the Department of Commerce and Insurance

For the State Board of Cosmetology and Barber Examiners

Expense and Equipment.....	\$316,011
For criminal history checks.....	<u>1,000</u>
From Board of Cosmetology and Barber Examiners Fund (0785)	\$317,011

SECTION 7.470. — To the Department of Commerce and Insurance

For the Missouri Dental Board

Personal Service.....	\$416,274
Expense and Equipment.....	<u>238,804</u>
From Dental Board Fund (0677) (Not to exceed 7.50 F.T.E.)	\$655,078

SECTION 7.475. — To the Department of Commerce and Insurance

For the State Board of Embalmers and Funeral Directors

Expense and Equipment	
From Board of Embalmers and Funeral Directors Fund (0633)	\$165,154

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SECTION 7.480. — To the Department of Commerce and Insurance

For the State Board of Registration for the Healing Arts

Personal Service.....\$2,213,740

Expense and Equipment..... 754,681

From Board of Registration for the Healing Arts Fund (0634)

(Not to exceed 44.00 F.T.E.)\$2,968,421

SECTION 7.485. — To the Department of Commerce and Insurance

For the State Board of Nursing

Personal Service.....\$1,464,817

Expense and Equipment..... 579,009

From State Board of Nursing Fund (0635)2,043,826

For competitive grants to eligible institutions of higher education based on a process and criteria jointly determined by the State Board of Nursing and the Department of Higher Education and Workforce Development. Grant award amounts shall not exceed three hundred thousand dollars (\$300,000) and no campus shall receive more than one grant per year

From General Revenue (0101)3,000,000

From State Board of Nursing Fund (0635) 2,000,000

Total (Not to exceed 28.00 F.T.E.)\$7,043,826

SECTION 7.490. — To the Department of Commerce and Insurance

For the State Board of Optometry

Expense and Equipment

From Optometry Fund (0636)\$35,419

SECTION 7.495. — To the Department of Commerce and Insurance

For the State Board of Pharmacy

Personal Service.....\$1,345,772

Expense and Equipment..... 1,420,086

For criminal history checks..... 5,000

From Board of Pharmacy Fund (0637) (Not to exceed 16.00 F.T.E.)\$2,770,858

SECTION 7.500. — To the Department of Commerce and Insurance

For the State Board of Podiatric Medicine

Expense and Equipment

From State Board of Podiatric Medicine Fund (0629)\$13,773

SECTION 7.505. — To the Department of Commerce and Insurance

For the Missouri Real Estate Commission

Personal Service.....\$1,097,689

Expense and Equipment..... 278,142

From Real Estate Commission Fund (0638) (Not to exceed 25.00 F.T.E.)\$1,375,831

SECTION 7.510. — To the Department of Commerce and Insurance

For the Missouri Veterinary Medical Board

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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Expense and Equipment.....	\$59,001
For payment of fees for testing services.....	<u>50,000</u>
From Veterinary Medical Board Fund (0639).....	\$109,001

SECTION 7.515. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for administrative costs,
to the General Revenue Fund

From Professional Registration Board funds (Various)	\$1,461,218
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SECTION 7.520. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for payment of
operating expenses, to the Professional Registration Fees Fund

From Professional Registration Board funds (Various)	\$9,665,697
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SECTION 7.525. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for funding new
licensing activity pursuant to Section 324.016, RSMo, to the Professional
Registration Fees Fund

From any board funds (Various)	\$200,000
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SECTION 7.530. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for the reimbursement
of funds loaned for new licensing activity pursuant to Section 324.016,
RSMo, to the appropriate board fund

From Professional Registration Fees Fund (0689)	\$320,000
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SECTION 7.535. — To the Department of Commerce and Insurance

For Manufactured Housing

Personal Service.....	\$437,048
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Expense and Equipment.....	354,484
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For Manufactured Housing programs.....	50,000
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For refunds	10,000
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From Manufactured Housing Fund (0582)	851,532
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For Manufactured Housing to pay consumer claims

From Manufactured Housing Consumer Recovery Fund (0909)	<u>192,000</u>
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Total (Not to exceed 8.00 F.T.E.)	\$1,043,532
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SECTION 7.540. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury to the Manufactured
Housing Consumer Recovery Fund

From Manufactured Housing Fund (0582)	\$192,000
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SECTION 7.545. — To the Department of Commerce and Insurance

For the Office of the Public Counsel, provided ten percent (10%) flexibility is
allowed between personal service and expense and equipment, and further
provided three percent (3%) flexibility is allowed from this section to
Section 7.555

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Personal Service.....	\$1,020,990
Expense and Equipment.....	<u>94,863</u>
From General Revenue Fund (0101) (Not to exceed 16.00 F.T.E.)	\$1,115,853

SECTION 7.550. — To the Department of Commerce and Insurance

For the Public Service Commission

For general administration of utility regulation activities, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$12,580,957
Annual salary adjustment in accordance with Section 105.005, RSMo.....	37,393
Expense and Equipment.....	<u>2,317,106</u>
For refunds	10,000
From Public Service Commission Fund (0607)	14,945,456

For the Deaf Relay Service and Equipment Distribution Program

From Deaf Relay Service and Equipment Distribution Program Fund (0559)	<u>2,495,886</u>
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Total (Not to exceed 193.00 F.T.E.)	\$17,441,342
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SECTION 7.555. — To the Department of Commerce and Insurance

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)	\$1
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SECTION 7.800. — To the Department of Labor and Industrial Relations

For the Director and Staff

Personal Service.....	\$3,304,071
Annual salary adjustment in accordance with Section 105.005, RSMo.....	8,926
Expense and Equipment.....	<u>1,399,996</u>
From Department of Labor and Industrial Relations Administrative Fund (0122).....	4,712,993

Expense and Equipment

From Unemployment Compensation Administration Fund (0948)	1,010,000
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For the purpose of drafting a plan for a state system to receive reports of undocumented workers employed in the State of Missouri

Expense and Equipment

From General Revenue Fund (0101)	<u>100,000</u>
Total (Not to exceed 52.65 F.T.E.)	\$5,822,993

SECTION 7.805. — To the Department of Labor and Industrial Relations

Funds are to be transferred out of the State Treasury, for payment of administrative costs, to the Department of Labor and Industrial Relations Administrative Fund, provided three percent (3%) flexibility is allowed from this section to Section 7.905

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From General Revenue Fund (0101)	\$385,283
From the Division of Labor Standards - Federal Fund (0186)	95,736
From Unemployment Compensation Administration Fund (0948)	3,313,218
From Department of Labor and Industrial Relations Federal Stimulus Fund (2375)	1,244,601
From Department of Labor and Industrial Relations Federal Stimulus - 2021 Fund (2452)	375,388
From Workers' Compensation Fund (0652)	1,524,957
From Special Employment Security Fund (0949)	88,069
Total.....	<u>\$7,027,252</u>

SECTION 7.810. — To the Department of Labor and Industrial Relations

Funds are to be transferred out of the State Treasury, for payment of administrative costs charged by the Office of Administration, to the Department of Labor and Industrial Relations Administrative Fund, provided three percent (3%) flexibility is allowed from this section to Section 7.905

From General Revenue Fund (0101)	\$330,601
From the Division of Labor Standards - Federal Fund (0186)	53,775
From Unemployment Compensation Administration Fund (0948)	4,952,583
From Department of Labor and Industrial Relations Federal Stimulus Fund (2375)	1,887,001
From Department of Labor and Industrial Relations Federal Stimulus - 2021 Fund (2452)	397,842
From Workers' Compensation Fund (0652)	1,048,277
From Special Employment Security Fund (0949)	128,804
Total.....	<u>\$8,798,883</u>

SECTION 7.815. — To the Department of Labor and Industrial Relations

For the Labor and Industrial Relations Commission, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 7.905

Personal Service.....	\$15,513
Expense and Equipment.....	868
From General Revenue Fund (0101)	16,381
Personal Service.....	492,472
Annual salary adjustment in accordance with Section 105.005, RSMo.....	10,953
Expense and Equipment.....	28,140
From Unemployment Compensation Administration Fund (0948)	531,565
Personal Service.....	532,720
Annual salary adjustment in accordance with Section 105.005, RSMo.....	11,531
Expense and Equipment.....	30,440
From Workers' Compensation Fund (0652)	574,691
Total (Not to exceed 13.59 F.T.E.)	<u>\$1,122,637</u>

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 7.820. — To the Department of Labor and Industrial Relations

For the Division of Labor Standards

For Administration, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 7.905

Personal Service.....	\$62,099
Expense and Equipment.....	<u>17,085</u>
From General Revenue Fund (0101)	79,184

Personal Service.....	91,760
Expense and Equipment.....	<u>43,000</u>
From the Division of Labor Standards - Federal Fund (0186)	134,760

Personal Service.....	120,548
Expense and Equipment.....	<u>10,330</u>
From Workers' Compensation Fund (0652)	130,878

For the Child Labor Program, provided ten percent (10%) flexibility is allowed between the Child Labor Program, Prevailing Wage Program, and Minimum Wage Program, and further provided three percent (3%) flexibility is allowed from this section to Section 7.905

Personal Service	
From General Revenue Fund (0101)	59,972

Expense and Equipment	
From Child Labor Enforcement Fund (0826)	79,831

For the Prevailing Wage Program, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided ten percent (10%) flexibility is allowed between the Child Labor Program, Prevailing Wage Program, and Minimum Wage Program, and further provided three percent (3%) flexibility is allowed from this section to Section 7.905

Personal Service.....	112,078
Expense and Equipment.....	<u>751</u>
From General Revenue Fund (0101)	112,829

For the Minimum Wage Program, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided ten percent (10%) flexibility is allowed between the Child Labor Program, Prevailing Wage Program, and Minimum Wage Program, and further provided three percent (3%) flexibility is allowed from this section to Section 7.905

Personal Service.....	164,667
Expense and Equipment.....	<u>10,187</u>
From General Revenue Fund (0101)	174,854
Total (Not to exceed 12.49 F.T.E.)	\$772,308

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 7.825. — To the Department of Labor and Industrial Relations

For the Division of Labor Standards

For safety and health programs

Personal Service..... \$814,906

Expense and Equipment..... 266,055

From the Division of Labor Standards - Federal Fund (0186) 1,080,961

Personal Service..... 141,050

Expense and Equipment..... 39,542From Workers' Compensation Fund (0652) 180,592

Total (Not to exceed 17.00 F.T.E.) \$1,261,553

SECTION 7.830. — To the Department of Labor and Industrial Relations

For the Division of Labor Standards

For mine safety and health training programs

Personal Service..... \$209,680

Expense and Equipment..... 137,307

From the Division of Labor Standards - Federal Fund (0186) 346,987

Personal Service..... 89,456

Expense and Equipment..... 12,119

From Workers' Compensation Fund (0652) 101,575

For the Mine and Cave Inspection Program provided ten percent (10%)

flexibility is allowed between personal service and expense and equipment,
and further provided three percent (3%) flexibility is allowed from this
section to Section 7.905

Personal Service..... 120,611

Expense and Equipment..... 15,083

From General Revenue Fund (0101) 135,694

Personal Service..... 48,073

Expense and Equipment..... 18,000From State Mine Inspection Fund (0973) 66,073

Total (Not to exceed 7.23 F.T.E.) \$650,329

SECTION 7.835. — To the Department of Labor and Industrial Relations

For the State Board of Mediation provided ten percent (10%) flexibility is

allowed between personal service and expense and equipment, and further
provided three percent (3%) flexibility is allowed from this section to
Section 7.905

Personal Service..... \$135,421

Expense and Equipment..... 15,138

From General Revenue Fund (0101) (Not to exceed 2.00 F.T.E.) \$150,559

SECTION 7.840. — To the Department of Labor and Industrial Relations

For the Division of Workers' Compensation

For the purpose of funding Administration

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Matter in bold-face type is proposed language.

Personal Service.....	\$8,488,446
Annual salary adjustment in accordance with Section 105.005, RSMo.....	197,566
Expense and Equipment.....	<u>1,382,151</u>
From Workers' Compensation Fund (0652)	10,068,163

Expense and Equipment	
From Tort Victims' Compensation Fund (0622)	<u>4,836</u>
Total (Not to exceed 138.25 F.T.E.)	\$10,072,999

SECTION 7.845. — To the Department of Labor and Industrial Relations
 For the Division of Workers' Compensation
 For payment of special claims
 From Workers' Compensation - Second Injury Fund (0653)\$105,060,833

SECTION 7.850. — To the Department of Labor and Industrial Relations
 For the Division of Workers' Compensation
 For refunds for overpayment of any tax or any payment credited to the Workers'
 Compensation - Second Injury Fund
 From Workers' Compensation - Second Injury Fund (0653) \$500,000

SECTION 7.855. — To the Department of Labor and Industrial Relations
 Funds are to be transferred out of the State Treasury to the Line of Duty
 Compensation Fund, provided three percent (3%) flexibility is allowed from
 this section to Section 7.905
 From General Revenue Fund (0101) \$600,000

SECTION 7.860. — To the Department of Labor and Industrial Relations
 For the Line of Duty Compensation Program as provided in Section 287.243,
 RSMo
 From Line of Duty Compensation Fund (0939) \$600,000

SECTION 7.865. — To the Department of Labor and Industrial Relations
 For the Division of Workers' Compensation
 For payments of claims to tort victims
 From Tort Victims' Compensation Fund (0622)\$93,700,000

SECTION 7.870. — To the Department of Labor and Industrial Relations
 Funds are to be transferred out of the State Treasury, pursuant to Section
 537.675, RSMo, to the Basic Civil Legal Services Fund
 From Tort Victims' Compensation Fund (0622)\$1,300,000

SECTION 7.875. — To the Department of Labor and Industrial Relations
 For the Division of Employment Security, provided that the Department of
 Labor and Industrial Relations institute an automated solution to obtain
 real-time employment and income data (up-to-date, non-modeled
 employment and income data provided by employers and/or payroll
 providers) from a commercial or non-commercial entities that collect and
 maintain data regarding employment and income in compliance with all

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federal and state privacy requirements, in order to improve the accuracy of unemployment compensation payments, increase operational efficiencies, achieve cost savings, and minimize fraud, and further provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment	
Personal Service.....	\$23,301,263
Expense and Equipment.....	<u>7,808,522</u>
From Unemployment Compensation Administration Fund (0948)	31,109,785
Personal Service.....	23,659,664
Expense and Equipment.....	<u>9,600,846</u>
From Department of Labor and Industrial Relations Federal Stimulus Fund (2375).....	33,260,510
Personal Service.....	3,879,477
Expense and Equipment.....	<u>5,449,216</u>
From Department of Labor and Industrial Relations Federal Stimulus - 2021 Fund (2452)	9,328,693
Personal Service.....	470,041
Expense and Equipment.....	<u>16,143</u>
From Unemployment Automation Fund (0953)	486,184
For information technology hardware, software, and/or system enhancements and improvements	
Personal Service.....	2,112,667
Expense and Equipment.....	<u>11,000,000</u>
From Unemployment Compensation Administration Fund (0948)	<u>13,112,667</u>
Total (Not to exceed 504.72 F.T.E.)	<u>\$87,297,839</u>

SECTION 7.880. — To the Department of Labor and Industrial Relations

For the Division of Employment Security

For administration of programs authorized and funded by the United States Department of Labor, such as Disaster Unemployment Assistance (DUA), and provided that all funds shall be expended from discrete accounts and that no monies shall be expended for funding administration of these programs by the Division of Employment Security

From Unemployment Compensation Administration Fund (0948)	\$8,000,000
From Department of Labor and Industrial Relations Federal Stimulus Fund (2375).....	<u>14,000,000</u>
Total.....	<u>\$22,000,000</u>

SECTION 7.885. — To the Department of Labor and Industrial Relations

For the Division of Employment Security

Personal Service.....	\$644,057
Expense and Equipment.....	<u>6,498,000</u>
From Special Employment Security Fund (0949)	
(Not to exceed 15.00 F.T.E.)	<u>\$7,142,057</u>

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Matter in bold-face type is proposed language.

SECTION 7.890. — To the Department of Labor and Industrial Relations

For the Division of Employment Security

For the War on Terror Unemployment Compensation Program

Expense and Equipment.....	\$5,000
For payment of benefits	<u>35,000</u>
From War on Terror Unemployment Compensation Fund (0736)	\$40,000

SECTION 7.895. — To the Department of Labor and Industrial Relations

For the Division of Employment Security

For the payment of refunds set off against debts as required by Section 143.786,
RSMo

From Debt Offset Escrow Fund (0753)	\$10,000,000
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SECTION 7.900. — To the Department of Labor and Industrial RelationsFor the Missouri Commission on Human Rights, provided ten percent (10%)
flexibility is allowed between personal service and expense and equipment,
and further provided three percent (3%) flexibility is allowed from this
section to Section 7.905

Personal Service.....	\$596,471
Expense and Equipment.....	<u>16,348</u>
From General Revenue Fund (0101)	612,819

Personal Service.....	783,887
Expense and Equipment.....	<u>103,852</u>
From Department of Labor and Industrial Relations - Commission on Human Rights - Federal Fund (0117)	887,739

For the Martin Luther King, Jr. State Celebration Commission, provided three
percent (3%) flexibility is allowed from this section to Section 7.905

From General Revenue Fund (0101)	55,257
From Martin Luther King, Jr. State Celebration Commission Fund (0438)	<u>5,000</u>
Total (Not to exceed 25.70 F.T.E.)	\$1,560,815

SECTION 7.905. — To the Department of Labor and Industrial RelationsFunds are to be transferred out of the State Treasury, for the payment of
claims, premiums, and expenses as provided by Section 105.711 through
105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)	\$1
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PART 2**SECTION 7.950.** — To the Department of Economic Development, Department
of Commerce and Insurance, and Department of Labor and Industrial
Relations

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of
administrative costs greater than five percent (5%) of said federal grant
amount or in accordance with grant guidelines.

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Matter in bold-face type is proposed language.

SECTION 7.955. — To the Department of Economic Development

In reference to Section 7.005 through and including Section 7.160 of Part 1 of this Act:

No funds shall be spent to implement land improvement projects previously rejected by a local Tax Increment Financing Commission.

PART 3**SECTION 7.1000.** — To the Department of Economic Development, Department of Commerce and Insurance, and Department of Labor and Industrial Relations**Appendix of One-time Appropriations**

Section	Line	Amount	FTE Amount
7.005	27	\$1,000,000	0
7.015	20	\$500,000	0
7.015	24	\$500,000	0
7.015	29	\$6,000,000	0
7.025	5	\$15,000,000	0
7.030	23	\$15,000,000	0
7.110	15	\$200,000	0
7.130	7	\$5,850,000	0
7.135	7	\$5,000,000	0
7.135	18	\$50,000	0
7.135	23	\$50,000	0
7.135	32	\$500,000	0
7.135	36	\$250,000	0
7.136	4	\$1,000,000	0
7.137	3	\$1,000,000	0
7.140	9	\$216,000,000	0
7.150	8	\$1,500	0
7.150	16	\$1,000	0
7.400	4	\$2,500	0
7.485	12	\$3,000,000	0
7.550	9	\$6,622	0
7.800	6	\$2,500	0
7.800	14	\$100,000	0

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Department of Economic Development Totals

General Revenue Fund.....	\$101,945,308
Federal Funds.....	554,248,661
Other Funds.....	<u>43,106,998</u>
Total.....	\$699,600,967

Department of Commerce and Insurance Totals

General Revenue Fund.....	\$4,125,854
Federal Funds.....	1,650,000
Other Funds.....	<u>66,083,675</u>
Total.....	\$71,859,529

Department of Labor & Industrial Relations Totals

General Revenue Fund.....	\$2,813,434
Federal Funds.....	125,123,811
Other Funds.....	<u>220,430,820</u>
Total.....	\$348,368,065

Approved June 30, 2022

CCS SS SCS HCS HB 3008

**Appropriates money for the expenses, grants, refunds, and distributions of the
Department of Public Safety**

ANACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated, for the period beginning July 1, 2022, and ending June 30, 2023, as follows:

PART 1

SECTION 8.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall

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state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

***SECTION 8.005.** — To the Department of Public Safety

For the Office of the Director, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$1,989,192
Annual salary adjustment in accordance with Section 105.005, RSMo.....	7,757
Expense and Equipment.....	<u>261,617</u>
From General Revenue Fund (0101)	2,258,566

Personal Service.....	367,519
Expense and Equipment.....	<u>420,154</u>
From Department of Public Safety Federal Fund (0152).....	787,673

Personal Service.....	399,655
Annual salary adjustment in accordance with Section 105.005, RSMo.....	269
Expense and Equipment.....	<u>1,163,109</u>
From Justice Assistance Grant Program Fund (0782).....	1,563,033

Personal Service	
From State Highways and Transportation Department Fund (0644).....	72,136

Personal Service.....	82,876
Expense and Equipment.....	<u>10,042</u>
From Services to Victims Fund (0592).....	92,918

Personal Service.....	590,766
Annual salary adjustment in accordance with Section 105.005, RSMo.....	513
Expense and Equipment.....	<u>1,453,981</u>
From Crime Victims' Compensation Fund (0681)	2,045,260

Expense and Equipment	
From Missouri Crime Prevention Information and Programming Fund (0253).....	1,000

Expense and Equipment	
From Antiterrorism Fund (0759).....	15,000

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Matter in bold-face type is proposed language.

Personal Service.....	1,350,930
Expense and Equipment.....	<u>17,998,600</u>
From Department of Public Safety Federal Homeland Security Fund (0193)	19,349,530
Personal Service.....	101,125
Expense and Equipment.....	<u>813,000</u>
From MODEX Fund (0867).....	914,125
For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies, provided the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the expenditure of said funds	
Personal Service.....	50,376
Expense and Equipment.....	<u>3,455,000</u>
From Department of Public Safety Federal Fund (0152).....	3,505,376
For drug task force grants, provided three percent (3%) be allowed for grant administration	
Personal Service.....	249,486
Expense and Equipment.....	25,941
Program Distribution.....	<u>8,641,336</u>
From General Revenue Fund (0101)	8,916,763
For grants to drug task forces for the purchase of drug interdiction technologies	
From General Revenue Fund (0101)	3,000,000
For scholarships for individuals to attend law enforcement academies	
From General Revenue Fund (0101)	1,000,000
For Coronavirus Emergency Supplemental Fund (CESF) grants, provided no more than ten percent (10%) is allowed for administrative costs	
Personal Service.....	726,899
Expense and Equipment.....	<u>10,758,773</u>
From Coronavirus Emergency Supplemental Fund (0179)	11,485,672
Funds are to be transferred out of the State Treasury to the 988 Public Safety Fund	
From General Revenue Fund (0101)	550,174
For the purpose of providing services for peace officers and first responders to assist in coping with stress and potential psychological trauma resulting from a response to a critical incident or emotionally difficult event	
Personal Service.....	46,663
Expense and Equipment.....	<u>503,511</u>
From 988 Public Safety Fund (0864).....	550,174

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Funds are to be transferred out of the State Treasury to the Economic Distress Zone Fund	
From General Revenue Fund (0101)	550,174
For the purpose of providing funding to organizations registered with the IRS as a 501(c)(3) corporation that provides services to residents of the state in areas of high incidents of crime and deteriorating infrastructure for the purpose of deterring criminal behavior in such area	
Personal Service.....	46,663
Expense and Equipment.....	<u>503,511</u>
From Economic Distress Zone Fund (0816).....	550,174
For the establishment and enhancement of local violent crime prevention programs in Missouri communities and improving the quality of crime data reporting in compliance with the National Incident-Based Reporting System	
From General Revenue Fund (0101)	500,000
For a school safety application program for all school districts statewide that speaks directly to 911 services and on/off duty officers through the law enforcement alert system	
From General Revenue Fund (0101)	1,900,000
For a statewide, competitively bid school safety program	
From Budget Stabilization Fund (0522).....	2,500,000
For a communication platform for active duty National Guardsmen, first responders and veterans to receive direct access to chaplains and provide suicide prevention information and resources	
From General Revenue Fund (0101)	500,000
For grants to increase access to standardized water safety education and swim lessons for underserved populations provided by a community based nonprofit	
From Budget Stabilization Fund (0522)	<u>300,000</u>
Total (Not to exceed 78.05 F.T.E.)	\$62,907,748

*I hereby veto \$500,000 general revenue for a communication platform for active duty National Guardsmen, first responders and veterans to receive direct access to chaplains and provide suicide prevention information and resources. The Fiscal Year 2023 budget invests nearly \$30 million in 988 mental health hotline infrastructure to assist citizens statewide experiencing a mental health emergency. The General Assembly also included \$1 million to market the 988 program of which my administration will use to target national guardsmen, veterans, first responders, and members of our armed forces. Further, the National Guard also has an existing phone application which includes a suicide hotline component. This program would be duplicative of those investments.

For a communication platform for National Guardsmen, first responders, and veterans.
From \$500,000 to \$0 from General Revenue Fund.

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Matter in bold-face type is proposed language.

From \$62,907,748 to \$57,907,748 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 8.010. — To the Department of Public Safety
For the Office of the Director
For the Juvenile Justice Delinquency Prevention Program
From Department of Public Safety Federal Fund (0152).....\$1,022,492

SECTION 8.015. — To the Department of Public Safety
For the Office of the Director
For the Narcotics Control Assistance Program and multi-jurisdictional task
forces
From Justice Assistance Grant Program Fund (0782).....\$4,490,000

SECTION 8.020. — To the Department of Public Safety
For the Office of the Director
For the Missouri Sheriff Methamphetamine Relief Taskforce
For supplementing deputy sheriffs' salary and related employment benefits
pursuant to Section 57.278, RSMo
From Deputy Sheriff Salary Supplementation Fund (0913).....\$7,200,000

For the maintenance, upgrade and enhancement of the secure Missouri
concealed carry weapon licensure computer database
From General Revenue Fund (0101) 175,000
Total.....\$7,375,000

SECTION 8.025. — To the Department of Public Safety
For the Office of the Director
For operating grants to local law enforcement cyber crimes task forces, provided
three percent (3%) is allowed for grant administration and three percent (3%)
flexibility is allowed from this section to Section 8.335
Personal Service.....\$56,150
Expense and Equipment..... 1,948,538
From General Revenue Fund (0101)\$2,004,688

SECTION 8.030. — To the Department of Public Safety
For the Office of the Director
To provide financial assistance to the spouses, children, and other
dependents of any local law enforcement officers, paramedics, emergency
medical technicians, corrections officers, and/or firefighters who have lost
their lives performing their duties. Deaths from natural causes, illnesses, or
injuries are outside the program's scope, provided three percent (3%)
flexibility is allowed from this section to Section 8.335
From General Revenue Fund (0101) \$70,000

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SECTION 8.035. — To the Department of Public Safety

For the Office of the Director

For the Services to Victims Program, provided three percent (3%) of each grant

award be allowed for the administrative expenses of each grantee

From Services to Victims Fund (0592).....\$2,000,000

SECTION 8.040. — To the Department of Public Safety

For the Office of the Director

For the Violence Against Women Program

From Department of Public Safety Federal Fund (0152).....\$3,294,232

SECTION 8.045. — To the Department of Public Safety

For the Office of the Director, provided three percent (3%) flexibility is allowed

from this section to Section 8.335

For the Crime Victims' Compensation Program

From General Revenue Fund (0101)\$2,100,000

From Department of Labor and Industrial Relations - Crime Victims - Federal

Fund (0191)4,500,000

From Crime Victims' Compensation Fund (0681)4,837,329

Personal Service..... 66,503

Expense and Equipment..... 160,000

From Department of Labor and Industrial Relations - Crime Victims - Federal

Fund (0191) 226,503

For reimbursing SAFE-Care providers for performing forensic medical exams

on children suspected of having been physically abused

Personal Service..... 34,693

Expense and Equipment..... 1,222,000From General Revenue Fund (0101) 1,256,693

Total (Not to exceed 1.00 F.T.E.).....\$12,920,525

SECTION 8.050. — To the Department of Public Safety

Funds are to be transferred out of the State Treasury to the Pretrial Witness

Protection Services Fund

From General Revenue Fund (0101)\$1,000,000

SECTION 8.055. — To the Department of Public Safety

For the Office of the Director

For witness protection services

From Pretrial Witness Protection Services Fund (0868)\$2,000,000

SECTION 8.060. — To the Department of Public Safety

For the National Forensic Sciences Improvement Act Program

From Department of Public Safety Federal Fund (0152)\$250,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 8.065. — To the Department of Public Safety
 For the State Forensic Laboratory Program
 From State Forensic Laboratory Fund (0591)..... \$360,000

SECTION 8.070. — To the Department of Public Safety
 For the Office of the Director
 For the Residential Substance Abuse Treatment Program
 From Department of Public Safety Federal Fund (0152)..... \$742,000

SECTION 8.075. — To the Department of Public Safety
 For the Office of the Director
 For peace officer training
 From Peace Officer Standards and Training Commission Fund (0281)..... \$950,000

SECTION 8.080. — To the Department of Public Safety
 For the Office of the Director
 For body worn cameras and related data storage for the Missouri State Highway
 Patrol and Capitol Police
 Expense and Equipment
 From General Revenue Fund (0101) \$277,031
 From Water Patrol Division Fund (0400)..... 381,852
 From State Highways and Transportation Department Fund (0644) 3,436,670
 Total..... \$4,095,553

SECTION 8.085. — To the Department of Public Safety
 For the Capitol Police, provided five percent (5%) flexibility is allowed between
 personal service and expense and equipment, and further provided three
 percent (3%) flexibility is allowed from this section to Section 8.335
 Personal Service..... \$2,136,497
 Expense and Equipment..... 171,066
 From General Revenue Fund (0101) (Not to exceed 46.00 F.T.E.) \$2,307,563

SECTION 8.090. — To the Department of Public Safety
 For the State Highway Patrol
 For Administration, provided three percent (3%) flexibility is allowed from this
 section to Section 8.335
 Personal Service..... \$326,761
 Expense and Equipment..... 25,504
 From General Revenue Fund (0101) 352,265

 Personal Service..... 8,318,099
 Expense and Equipment..... 625,751
 From State Highways and Transportation Department Fund (0644) 8,943,850

 Personal Service
 From Criminal Record System Fund (0671)..... 34,227

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

Personal Service.....	40,030
Expense and Equipment.....	<u>26,945</u>
From Gaming Commission Fund (0286).....	66,975
Personal Service.....	4,328
Expense and Equipment.....	<u>13,980</u>
From Water Patrol Division Fund (0400).....	18,308
For the High-Intensity Drug Trafficking Area Program	
From Department of Public Safety Federal Fund (0152).....	<u>2,598,000</u>
Total (Not to exceed 125.00 F.T.E.)	\$12,013,625

SECTION 8.095. — To the Department of Public Safety

For the State Highway Patrol

For fringe benefits, including retirement contributions for members of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System and insurance premiums, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$14,656,175
Expense and Equipment.....	<u>1,318,662</u>
From General Revenue Fund (0101)	15,974,837
Personal Service.....	4,230,998
Expense and Equipment.....	<u>195,539</u>
From Department of Public Safety Federal Fund (0152).....	4,426,537
Personal Service.....	472,522
Expense and Equipment.....	<u>466,989</u>
From Gaming Commission Fund (0286).....	939,511
Personal Service.....	1,504,688
Expense and Equipment.....	<u>127,699</u>
From Water Patrol Division Fund (0400).....	1,632,387
Personal Service.....	93,591,774
Expense and Equipment.....	<u>7,748,652</u>
From State Highways and Transportation Department Fund (0644).....	101,340,426
Personal Service.....	3,965,451
Expense and Equipment.....	<u>288,417</u>
From Criminal Record System Fund (0671).....	4,253,868
Personal Service.....	114,551
Expense and Equipment.....	<u>12,115</u>
From Highway Patrol Academy Fund (0674)	126,666
Personal Service.....	5,136
Expense and Equipment.....	<u>830</u>
From Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund (0695).....	5,966

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Matter in bold-face type is proposed language.

Personal Service.....	74,289
Expense and Equipment.....	<u>6,437</u>
From DNA Profiling Analysis Fund (0772)	80,726
Personal Service.....	76,724
Expense and Equipment.....	<u>5,807</u>
From Highway Patrol Traffic Records Fund (0758)	82,531
Personal Service.....	82,209
Expense and Equipment.....	<u>8,815</u>
From Highway Patrol Inspection Fund (0297)	<u>91,024</u>
Total.....	\$128,954,479

SECTION 8.100. — To the Department of Public Safety

For the State Highway Patrol

For the Enforcement Program, provided three percent (3%) flexibility is allowed
from this section to Section 8.335

Personal Service.....	\$12,974,373
Expense and Equipment.....	<u>2,189,880</u>
From General Revenue Fund (0101)	15,164,253

Personal Service.....	83,872,762
Expense and Equipment.....	<u>6,689,191</u>
From State Highways and Transportation Department Fund (0644)	90,561,953

Expense and Equipment, all expenditures must be in compliance with the United States Department of Justice Equitable Sharing Program guidelines	
From Federal Drug Seizure Fund (0194)	400,000

Personal Service	
From Criminal Record System Fund (0671).....	16,956

Expense and Equipment	
From Gaming Commission Fund (0286)	432,828

Personal Service.....	8,920
Expense and Equipment.....	<u>1,277,625</u>
From Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund (0695).....	1,286,545

Expense and Equipment	
From Highway Patrol Traffic Records Fund (0758)	245,242

Personal Service	
From Water Patrol Division Fund (0400).....	206,794

For the Governor's Security Detail

Personal Service and/or Expense and Equipment	
From General Revenue Fund (0101) (Not to exceed 14.00 F.T.E.)	1,034,394

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For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies provided the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the expenditure of said funds

Personal Service.....	5,796,058
Expense and Equipment.....	<u>5,855,013</u>
From Department of Public Safety Federal Fund (0152).....	11,651,071

For a statewide interoperable communication system

Expense and Equipment	
From State Highways and Transportation Department Fund (0644).....	9,712,926

For the purchase of a helicopter and for no other purpose whatsoever

From General Revenue Fund (0101)	2,625,000
From State Highways and Transportation Department Fund (0644).....	2,625,000
From Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund (0695).....	250,000

For costs associated with the upgrade of the Highway Patrol's Missouri Automated Criminal History Site system with regard to the dissemination of background check results

From General Revenue Fund (0101)	<u>125,000</u>
Total (Not to exceed 1,309.00 F.T.E.)	\$136,337,962

SECTION 8.105. — To the Department of Public Safety

For the State Highway Patrol

For the Water Patrol Division, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$4,015,145
Expense and Equipment.....	<u>284,764</u>
From General Revenue Fund (0101)	4,299,909

Personal Service.....	317,509
Expense and Equipment.....	<u>2,225,990</u>
From Department of Public Safety Federal Fund (0152).....	2,543,499

Expense and Equipment, all expenditures must be in compliance with the United States Department of Justice Equitable Sharing Program guidelines

From Federal Drug Seizure Fund (0194)	16,499
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Personal Service.....	1,910,548
Expense and Equipment.....	<u>1,657,353</u>
From Water Patrol Division Fund (0400).....	<u>3,567,901</u>
Total (Not to exceed 79.00 F.T.E.)	\$10,427,808

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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SECTION 8.110. — To the Department of Public Safety

For the State Highway Patrol

For gasoline expenses for State Highway Patrol vehicles, including aircraft and Gaming Commission vehicles, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Expense and Equipment

From General Revenue Fund (0101)	\$459,793
From Gaming Commission Fund (0286)	755,366
From State Highways and Transportation Department Fund (0644)	<u>4,737,264</u>
Total	\$5,952,423

SECTION 8.115. — To the Department of Public Safety

For the State Highway Patrol

For the purchase of vehicles, aircraft, and watercraft for the State Highway Patrol and the Gaming Commission in accordance with Section 43.265, RSMo, also for maintenance and repair costs for vehicles, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Expense and Equipment

From General Revenue Fund (0101)	\$477,549
From State Highways and Transportation Department Fund (0644)	6,323,075
From Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund (0695)	9,713,448
From Gaming Commission Fund (0286)	<u>549,074</u>
Total	\$17,063,146

SECTION 8.120. — To the Department of Public Safety

For the State Highway Patrol

For Crime Labs, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....\$3,124,053

Expense and Equipment.....811,828From General Revenue Fund (0101) 3,935,881 |

Personal Service.....4,576,691

Expense and Equipment.....1,551,249From State Highways and Transportation Department Fund (0644) 6,127,940 |

Personal Service.....73,772

Expense and Equipment.....1,478,305From DNA Profiling Analysis Fund (0772) 1,552,077 |

Personal Service.....261,465

Expense and Equipment.....900,000From Department of Public Safety Federal Fund (0152) 1,161,465 |

Personal Service.....390,235

Expense and Equipment.....2,575From Criminal Record System Fund (0671) 392,810 |

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Matter in bold-face type is proposed language.

Expense and Equipment
From State Forensic Laboratory Fund (0591)..... 357,633

For the purchase of an enhanced forensic capabilities program that provides expedited DNA technology and forensic services to assist in the processing of crime scene evidence, expediting investigative leads, and reducing the backlog of other cases
From Budget Stabilization Fund (0522) 371,000
Total (Not to exceed 124.00 F.T.E.) \$13,898,806

SECTION 8.125. — To the Department of Public Safety

For the State Highway Patrol
For the Law Enforcement Academy, provided three percent (3%) flexibility is allowed from this section to Section 8.335
Personal Service
From General Revenue Fund (0101) \$169,041

Expense and Equipment
From Department of Public Safety Federal Fund (0152)..... 59,655

Personal Service..... 103,315
Expense and Equipment..... 69,440
From Gaming Commission Fund (0286) 172,755

Personal Service..... 1,704,486
Expense and Equipment..... 503,864
From State Highways and Transportation Department Fund (0644) 2,208,350

Personal Service..... 128,900
Expense and Equipment..... 581,717
From Highway Patrol Academy Fund (0674) 710,617
Total (Not to exceed 37.00 F.T.E.) \$3,320,418

SECTION 8.130. — To the Department of Public Safety

For the State Highway Patrol
For Vehicle and Driver Safety
Expense and Equipment
From Department of Public Safety Federal Fund (0152)..... \$350,000

Personal Service..... 12,392,776
Expense and Equipment..... 1,060,790
From State Highways and Transportation Department Fund (0644) 13,453,566

Personal Service..... 142,732
Expense and Equipment..... 360,632
From Highway Patrol Inspection Fund (0297) 503,364
Total (Not to exceed 299.00 F.T.E.) \$14,306,930

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SECTION 8.135. — To the Department of Public Safety	
For the State Highway Patrol	
For refunding unused motor vehicle inspection stickers	
From State Highways and Transportation Department Fund (0644)	\$100,000
SECTION 8.140. — To the Department of Public Safety	
For the State Highway Patrol	
For Technical Services, provided three percent (3%) flexibility is allowed from this section to Section 8.335	
Personal Service	\$272,940
Expense and Equipment	<u>492,580</u>
From General Revenue Fund (0101)	765,520
Personal Service	499,617
Expense and Equipment	<u>4,995,285</u>
From Department of Public Safety Federal Fund (0152)	5,494,902
Personal Service	17,871,959
Expense and Equipment	<u>19,413,526</u>
From State Highways and Transportation Department Fund (0644)	37,285,485
Personal Service	4,356,718
Expense and Equipment	2,234,530
For National Criminal Record Reviews	<u>3,000,000</u>
From Criminal Record System Fund (0671)	9,591,248
For Livescan purchases, Livescan lease agreements in full, and Livescan maintenance costs incurred by local and county law enforcement	
From Criminal Record System Fund (0671)	1,945,000
Personal Service	234
Expense and Equipment	<u>83,040</u>
From Gaming Commission Fund (0286)	83,274
Personal Service	
From Highway Patrol Traffic Records Fund (0758)	91,908
Expense and Equipment	
From Criminal Justice Network and Technology Revolving Fund (0842)	<u>2,819,050</u>
Total (Not to exceed 356.00 F.T.E.)	\$58,076,387
SECTION 8.145. — To the Department of Public Safety	
For the State Highway Patrol	
For the recoupment, receipt, and disbursement of funds for equipment replacement and expenses	
Expense and Equipment	
From Highway Patrol Expense Fund (0793)	\$35,000

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SECTION 8.150. — To the Department of Public Safety

Funds are to be transferred out of the State Treasury to the State Road Fund
pursuant to Section 307.365, RSMo

From Highway Patrol Inspection Fund (0297) \$2,000,000

SECTION 8.155. — To the Department of Public Safety

For the Division of Alcohol and Tobacco Control

Personal Service..... \$467,310

Expense and Equipment..... 397,594

From Department of Public Safety Federal Fund (0152)..... 864,904

Personal Service..... 1,894,725

Expense and Equipment..... 577,211

From Division of Alcohol and Tobacco Control Fund (0544) 2,471,936

Total (Not to exceed 36.00 F.T.E.) \$3,336,840

SECTION 8.160. — To the Department of Public Safety

For the Division of Alcohol and Tobacco Control

For refunds for unused liquor and beer licenses and for liquor and beer stamps
not used and canceled

From General Revenue Fund (0101) \$55,000

SECTION 8.165. — To the Department of Public Safety

For the Division of Fire Safety, provided for all funds in this section, five percent

(5%) flexibility is allowed from personal service to expense and equipment
and three percent (3%) flexibility is allowed from this section to Section
8.335

Personal Service..... \$2,553,498

Expense and Equipment..... 392,398

From General Revenue Fund (0101) 2,945,896

Personal Service..... 486,554

Expense and Equipment..... 54,615

From Elevator Safety Fund (0257) 541,169

Personal Service..... 502,153

Expense and Equipment..... 82,892

From Boiler and Pressure Vessels Safety Fund (0744)..... 585,045

Personal Service..... 98,663

Expense and Equipment..... 12,027

From Missouri Explosives Safety Act Administration Fund (0804)..... 110,690

Expense and Equipment

From Cigarette Fire Safety Standard and Firefighter Protection Act

Fund (0937)..... 57,200

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To allow the State Fire Marshal to disburse grants to any applying volunteer fire protection association for the purpose of funding such association's costs related to worker's compensation premiums for volunteer firefighters

From General Revenue Fund (0101)	200,000
Total (Not to exceed 67.92 F.T.E.)	\$4,440,000

SECTION 8.170. — To the Department of Public Safety

For the Division of Fire Safety

For the Fire Safe Cigarette Program

Personal Service	\$24,152
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Expense and Equipment	10,204
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From Cigarette Fire Safety Standard and Firefighter Protection Act

Fund (0937)	\$34,356
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SECTION 8.175. — To the Department of Public Safety

For the Division of Fire Safety

For firefighter training contracted services, provided three percent (3%)

flexibility is allowed from this section to Section 8.335

Expense and Equipment

From General Revenue Fund (0101)	\$480,000
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From Chemical Emergency Preparedness Fund (0587)	100,000
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From Fire Education Fund (0821)	250,000
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For Missouri Fire Service Funeral Assistance Team training and equipment

Expense and Equipment

From General Revenue Fund (0101)	20,000
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Total	\$850,000
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SECTION 8.177. — To the Department of Public Safety

For the Missouri Veterans' Commission

For housing assistance for veterans

From Budget Stabilization Fund (0522)	\$1,500,000
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SECTION 8.180. — To the Department of Public Safety

For the Missouri Veterans' Commission

For Administration and Service to Veterans

Personal Service	\$5,256,705
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Expense and Equipment	1,478,389
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From Veterans Commission Capital Improvement Trust Fund (0304)	6,735,094
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Expense and Equipment

From Veterans' Trust Fund (0579)	23,832
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Total (Not to exceed 116.61 F.T.E.)	\$6,758,926
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SECTION 8.185. — To the Department of Public Safety

For the Missouri Veterans' Commission

For the restoration, renovation, and maintenance of a World War I Memorial

From World War I Memorial Trust Fund (0993)	\$150,000
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 8.190. — To the Department of Public Safety
 For the Missouri Veterans' Commission
 For veterans' health and safety initiatives
 From Veterans Assistance Fund (0461)\$4,557,800

SECTION 8.195. — To the Department of Public Safety
 For the Missouri Veterans' Commission
 For the Veterans' Service Officer Program
 From Veterans Commission Capital Improvement Trust Fund (0304)\$1,600,000

SECTION 8.200. — To the Department of Public Safety
 For the Missouri Veterans' Commission
 For Missouri Veterans' Homes
 Personal Service.....\$66,905,517
 Expense and Equipment..... 24,414,833
 From Missouri Veterans' Homes Fund (0460).....91,320,350

Expense and Equipment
 From Veterans' Trust Fund (0579)..... 52,314

Personal Service
 From Veterans Commission Capital Improvement Trust Fund (0304) 34,642

Expense and Equipment
 From Department of Public Safety Federal Stimulus Fund (2330).....4,300,000

Expense and Equipment
 From Department of Public Safety Federal Stimulus - 2021 Fund (2458) 10,800,000

For refunds to veterans and/or the U.S. Department of Veterans' Affairs
 From Missouri Veterans' Homes Fund (0460)..... 1,274,400

For overtime to state employees. Non-exempt state employees identified by
 Section 105.935, RSMo, will be paid first with any remaining funds being
 used to pay overtime to any other state employees
 From Missouri Veterans' Homes Fund (0460)..... 1,897,973
 Total (Not to exceed 1,577.98 F.T.E.)\$109,679,679

SECTION 8.205. — To the Department of Public Safety
 For the Missouri Veterans' Commission
 For the operations of Veterans' Homes and cemeteries, utilities, systems
 furniture, and structural modifications
 From Veterans Commission Capital Improvement Trust Fund (0304)\$3,448,501

SECTION 8.210. — To the Department of Public Safety
 Funds are to be transferred out of the State Treasury to the Missouri
 Veterans' Homes Fund

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

From Veterans Commission Capital Improvement Trust Fund (0304)	\$30,000,000
From Budget Stabilization Fund (0522)	<u>39,640,000</u>
Total.....	\$69,640,000

SECTION 8.215. — To the Department of Public Safety

For the Gaming Commission

For the Divisions of Gaming and Bingo

Personal Service.....	\$16,420,017
Expense and Equipment.....	<u>1,733,521</u>
From Gaming Commission Fund (0286)	18,153,538

Expense and Equipment

From Compulsive Gamblers Fund (0249)	<u>56,310</u>
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Total (Not to exceed 227.75 F.T.E.)	\$18,209,848
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***SECTION 8.216.** — To the Department of Public Safety

For the Gaming Commission

For the coordination of a statewide plan to address problem gambling

Personal Service.....	\$80,000
Expense and Equipment.....	<u>420,000</u>
From Compulsive Gamblers Fund (0249)	\$500,000

*I hereby veto \$500,000 Compulsive Gamblers Fund for the coordination of a statewide plan to address problem gambling. This program was established to help provide funding for gaming addiction resulting from the passage of sports betting, proposed in both House Bill 2502 & House Bill 2556 (2022). The General Assembly failed to pass House Bill 2502 & House Bill 2556 (2022) where the parameters for this program were established, including providing additional recovery services from additional state revenues that would have been generated. As a result of the legislation not passing the General Assembly, no additional funds would be available for this service expansion.

Said section is vetoed in its entirety.

Personal Service from \$80,000 to \$0 from Compulsive Gamblers Fund.

Expense and Equipment from \$420,000 to \$0 from Compulsive Gamblers Fund.

From \$500,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 8.220. — To the Department of Public Safety

For the Gaming Commission

For fringe benefits, including retirement contributions for members of the

Missouri Department of Transportation and Highway Patrol Employees'

Retirement System, and insurance premiums for State Highway Patrol

employees assigned to work under the direction of the Gaming Commission

Personal Service.....	\$7,394,883
Expense and Equipment.....	<u>302,299</u>
From Gaming Commission Fund (0286)	\$7,697,182

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SECTION 8.225. — To the Department of Public Safety
 For the Gaming Commission
 For refunding any overpayment or erroneous payment of any amount that is
 credited to the Gaming Commission Fund
 From Gaming Commission Fund (0286) \$100,000

SECTION 8.230. — To the Department of Public Safety
 For the Gaming Commission
 For refunding any overpayment or erroneous payment of any amount received
 for bingo fees
 From Bingo Proceeds for Education Fund (0289) \$5,000

SECTION 8.235. — To the Department of Public Safety
 For the Gaming Commission
 For refunding any overpayment or erroneous payment of any amount that is
 credited to the Gaming Proceeds for Education Fund
 From Gaming Proceeds for Education Fund (0285) \$50,000

SECTION 8.240. — To the Department of Public Safety
 For the Gaming Commission
 For breeder incentive payments
 From Missouri Breeders Fund (0605) \$5,000

SECTION 8.245. — To the Department of Public Safety
 Funds are to be transferred out of the State Treasury to the Veterans
 Commission Capital Improvement Trust Fund
 From Gaming Commission Fund (0286) \$22,000,000

SECTION 8.250. — To the Department of Public Safety
 Funds are to be transferred out of the State Treasury to the Missouri National
 Guard Trust Fund
 From Gaming Commission Fund (0286) \$4,000,000

SECTION 8.255. — To the Department of Public Safety
 Funds are to be transferred out of the State Treasury to the Access Missouri
 Financial Assistance Fund
 From Gaming Commission Fund (0286) \$5,000,000

***SECTION 8.260.** — To the Department of Public Safety
 Funds are to be transferred out of the State Treasury to the Compulsive
 Gamblers Fund
 From Gaming Commission Fund (0286) \$694,181

*I hereby veto \$500,000 Gaming Commission Fund for transfer to the Compulsive Gamblers Fund. This program was established to help provide funding for gaming addiction resulting from the passage of sports betting, proposed in both House Bill 2502 & House Bill 2556 (2022). The General Assembly failed to pass House Bill 2502 & House Bill 2556 (2022) where the parameters for this program were established, including providing additional recovery services from additional

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state revenues that would have been generated. As a result of the legislation not passing the General Assembly, no additional funds would be available for this service expansion.

For funds to be transferred out of the State Treasury to the Compulsive Gamblers Fund.

By \$500,000 from \$694,181 to \$194,181 Gaming Commission Fund.

From \$694,181 to \$194,181 for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 8.265. — To the Adjutant General

For Missouri Military Forces Administration, provided three percent (3%)

flexibility is allowed from this section to Section 8.335

Personal Service.....	\$1,237,796
Expense and Equipment.....	<u>129,144</u>
From General Revenue Fund (0101)	1,366,940

Expense and Equipment, all expenditures must be in compliance with the

United States Department of Justice Equitable Sharing Program guidelines

From Federal Drug Seizure Fund (0194)	<u>240,933</u>
Total (Not to exceed 26.48 F.T.E.)	\$1,607,873

SECTION 8.270. — To the Adjutant General

For activities in support of the Missouri National Guard, including the National

Guard Tuition Assistance Program and the Military Honors Program,

provided three percent (3%) flexibility is allowed from this section to

Section 8.335

Personal Service.....	\$43,287
Expense and Equipment.....	<u>3,343,957</u>
From General Revenue Fund (0101)	3,387,244

Personal Service.....	1,483,020
Expense and Equipment.....	<u>3,226,247</u>

From Missouri National Guard Trust Fund (0900)	<u>4,709,267</u>
Total (Not to exceed 43.40 F.T.E.)	\$8,096,511

SECTION 8.275. — To the Adjutant General

For maintenance and repair of the U.S.S. Missouri Memorial at Pearl Harbor,

provided three percent (3%) flexibility is allowed from this section to

Section 8.335

From General Revenue Fund (0101)	\$50,000
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SECTION 8.280. — To the Adjutant General

For the Veterans Recognition Program

Personal Service.....	\$108,077
Expense and Equipment.....	<u>200,000</u>

From Veterans Commission Capital Improvement Trust Fund (0304)	
(Not to exceed 3.00 F.T.E.)	\$308,077

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Matter in bold-face type is proposed language.

SECTION 8.285. — To the Adjutant General

For Missouri Military Forces Field Support, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$839,563
Expense and Equipment.....	<u>1,812,332</u>
From General Revenue Fund (0101)	2,651,895

Personal Service.....	117,984
Expense and Equipment.....	<u>98,417</u>
From Adjutant General - Federal Fund (0190)	<u>216,401</u>
Total (Not to exceed 37.37 F.T.E.)	\$2,868,296

SECTION 8.290. — To the Adjutant General

For operational expenses at armories from armory rental fees

Expense and Equipment	
From Adjutant General Revolving Fund (0530).....	\$55,000

SECTION 8.295. — To the Adjutant General

For the Missouri Military Family Relief Program

Expense and Equipment.....	\$10,000
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For grants to family members of the National Guard and reservists who are in financial need

	<u>140,000</u>
From Missouri Military Family Relief Fund (0719)	\$150,000

SECTION 8.300. — To the Adjutant General

For training site operating costs

Expense and Equipment	
From General Revenue Fund (0101)	\$36,000
From Missouri National Guard Training Site Fund (0269)	<u>330,000</u>
Total.....	\$366,000

SECTION 8.305. — To the Adjutant General

For Missouri Military Forces Contract Services, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$525,588
Expense and Equipment.....	<u>19,773</u>
From General Revenue Fund (0101)	545,361

Personal Service.....	16,599,153
Expense and Equipment.....	<u>16,814,553</u>
From Adjutant General - Federal Fund (0190)	33,413,706

Personal Service	
From Missouri National Guard Training Site Fund (0269)	23,408

Expense and Equipment	
From Missouri National Guard Trust Fund (0900)	673,925

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Matter in bold-face type is proposed language.

For refund of federal overpayments to the state for the Contract Services Program	
From Adjutant General - Federal Fund (0190)	865,561
Total (Not to exceed 393.80 F.T.E.)	\$35,521,961

SECTION 8.310. — To the Adjutant General

For the Office of Air Search and Rescue, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Expense and Equipment	
From General Revenue Fund (0101)	\$72,475

SECTION 8.315. — To the Department of Public Safety

For the State Emergency Management Agency

For Administration and Emergency Operations, provided three percent (3%) flexibility is allowed from this section to Section 8.335

Personal Service.....	\$1,942,508
Expense and Equipment.....	426,322
From General Revenue Fund (0101)	2,368,830

Personal Service.....	2,077,551
Expense and Equipment.....	909,444
From State Emergency Management - Federal Fund (0145).....	2,986,995

Personal Service.....	316,707
Expense and Equipment.....	27,350
From Missouri Disaster Fund (0663).....	344,057

Personal Service.....	1,841,025
Expense and Equipment.....	1,059,811
From Department of Health and Senior Services - Federal Fund (0143)	2,900,836

Personal Service.....	183,956
Expense and Equipment.....	130,117
From Chemical Emergency Preparedness Fund (0587).....	314,073
Total (Not to exceed 95.49 F.T.E.)	\$8,914,791

SECTION 8.320. — To the Department of Public Safety

For the State Emergency Management Agency

For the Missouri Task Force 1

For expenses of Missouri Task Force 1, a division of the Boone County Fire Protection District, when it responds to emergencies and disasters in the State of Missouri and conducts annual training and exercises. These expenses may include, but are not limited to personnel salaries and benefits, volunteer expenses, supplies, and repair or replacement of damaged equipment, provided three percent (3%) flexibility is allowed from this section to Section 8.335

From General Revenue Fund (0101)	\$1,836,959
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Matter in bold-face type is proposed language.

SECTION 8.325. — To the Department of Public Safety

For the State Emergency Management Agency

For the Community Right-to-Know Act

From Chemical Emergency Preparedness Fund (0587)..... \$750,000

For local emergency planning commissions to implement the federal Hazardous

Materials Transportation Uniform Safety Act of 1990

From State Emergency Management - Federal Fund (0145)..... 750,000Total..... \$1,500,000**SECTION 8.330.** — To the Department of Public Safety

For the State Emergency Management Agency

For all allotments, grants, and contributions from federal and other sources that are deposited in the State Treasury for administrative and training expenses of the State Emergency Management Agency and for first responder training programs, provided three percent (3%) flexibility is allowed from this section to Section 8.335

From State Emergency Management - Federal Fund (0145)..... \$19,262,386

For all allotments, grants, and contributions from federal and other sources that are deposited in the State Treasury for the use of the State Emergency Management Agency for alleviating distress from disasters

Personal Service..... 267,171

Expense and Equipment..... 911,096

Program Distribution 179,948,800

From Missouri Disaster Fund (0663)..... 181,127,067

For matching funds for federal grants and for emergency assistance expenses of the State Emergency Management Agency as provided in Section 44.032, RSMo

From General Revenue Fund (0101) 10,000,000

For expenses of any state agency responding during a declared emergency at the direction of the governor provided the services furnish immediate aid and relief

From General Revenue Fund (0101) 3,190,729

For expenses of non-declared disasters to include response, recovery, or mitigation activities, and preparation and planning to local emergency planning commissions, districts, and management agencies

From General Revenue Fund (0101) 2,000,000Total..... \$215,580,182**SECTION 8.335. — TO THE DEPARTMENT OF PUBLIC SAFETY**

Funds are to be transferred out of the State Treasury to the State Legal Expense Fund for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo

From General Revenue Fund (0101) \$1

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Matter in bold-face type is proposed language.

PART 2**SECTION 8.400.** — To the Department of Public Safety

In reference to all sections in Part 1 of this act:

No funds shall be spent for any flight on a state aircraft where an elected official will be on board without a flight plan being made publicly available via a global aviation data services organization that operates both a website and mobile application which provides free flight tracking of both private and commercial aircraft.

SECTION 8.405. — To the Department of Public Safety

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 8.500.** — To the Department of Public Safety**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
8.005	7	\$110,832	0
8.005	15	\$78	0
8.005	25	\$150	0
8.005	66	\$2,640	0
8.005	76	\$2,640	0
8.020	9	\$175,000	0
8.080	7	\$261,801	0
8.080	8	\$2,356,210	0
8.085	7	\$56,263	0
8.100	6	\$50,310	0
8.100	20	\$880,000	0
8.100	42	\$2,625,000	0
8.100	43	\$2,625,000	0
8.100	45	\$250,000	0
8.100	49	\$125,000	0
8.105	16	\$817,353	0
8.115	9	\$145,600	0
8.120	9	\$253,500	0

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8.120	26	\$371,000	0
8.125	13	\$430,288	0
8.140	6	\$165,785	0
8.140	12	\$2,800,000	0
8.165	7	\$203,853	0
8.165	13	\$28,218	0
8.165	20	\$57,200	0
8.20	12	\$4,300,000	0
8.285	5	\$101,115	0
8.300	4	\$36,000	0
8.310	5	\$31,232	0
8.315	5	\$109,176	0
8.315	6	\$123,174	0
8.320	12	\$1,611,959	0

Bill Totals

General Revenue Fund.....	\$104,902,424
Federal Funds.....	341,796,424
Other Funds.....	500,933,886
Total.....	\$947,632,734

Approved June 30, 2022

CCS SCS HCS HB 3009

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated, for the period beginning July 1, 2022, and ending June 30, 2023, as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

PART 1

SECTION 9.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 9.005. — To the Department of Corrections
For the Office of the Director, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$4,655,552
Annual salary adjustment in accordance with Section 105.005, RSMo.....	8,634
Expense and Equipment.....	<u>118,200</u>
From General Revenue Fund (0101)	4,782,386
Personal Service.....	76,805
Expense and Equipment.....	<u>1,800</u>
From Inmate Fund (0540).....	78,605
Personal Service.....	39,618
Expense and Equipment.....	<u>532</u>
From Crime Victims' Compensation Fund (0681)	40,150
For Family Support Services	
From General Revenue Fund (0101)	384,093
From Department of Corrections - Federal Fund (0130)	<u>71,024</u>
Total (Not to exceed 89.50 F.T.E.)	\$5,356,258

SECTION 9.010. — To the Department of Corrections
For the Office of Professional Standards, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent

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(10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$2,769,303
Expense and Equipment.....	<u>121,515</u>
From General Revenue Fund (0101) (Not to exceed 52.00 F.T.E.)	\$2,890,818

SECTION 9.015. — To the Department of Corrections

For the Office of the Director

For the Offender Reentry Program, provided three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment	
From General Revenue Fund (0101)	\$1,800,001

Expense and Equipment	
From Inmate Fund (0540).....	133,060

For a Kansas City Reentry Program

Expense and Equipment	
From General Revenue Fund (0101)	178,000

For a pay for performance agreement with private programs to reduce the rate of recidivism which would reimburse such programs based on a percentage of an amount on which the state benefited

From General Revenue Fund (0101)	2,500,000
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For a pilot program to engage a nonprofit agency equipped to provide video job interviewing with vetted second-chance employers, onboarding assistance, and job coaching to inmates releasing from state correctional facilities

From General Revenue Fund (0101)	<u>300,000</u>
Total.....	\$4,911,061

SECTION 9.020. — To the Department of Corrections

For the Office of the Director

For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies which may become available between sessions of the General Assembly, provided the General Assembly shall be notified of the source of any new funds and the purpose for which they should be expended, in writing, prior to the use of said funds

Personal Service.....	\$2,750,342
Expense and Equipment.....	<u>4,307,526</u>
From Department of Corrections - Federal Fund (0130)	7,057,868

For contributions, gifts, and grants in support of a foster care dog program to increase the adoptability of shelter animals and train service dogs for the disabled

From State Institutions Gift Trust Fund (0925).....	<u>75,000</u>
Total (Not to exceed 43.00 F.T.E.)	\$7,132,868

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SECTION 9.025. — To the Department of Corrections

For the Office of the Director

For Justice Reinvestment services, provided three percent (3%) flexibility is allowed from this section to Section 9.285

From General Revenue Fund (0101)\$6,000,000

SECTION 9.030. — To the Department of Corrections

For the Office of the Director

For costs associated with supervising the offender population department-wide including, but not limited to, funding for personal service, expense and equipment, contractual services, repairs, renovations, capital improvements, and compensatory time, provided thirty percent (30%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....\$498,090

Expense and Equipment.....935,418

From General Revenue Fund (0101)\$1,433,508

SECTION 9.035. — To the Department of Corrections

For the Office of the Director

For restitution payments for those wrongly convicted, provided three percent (3%) flexibility is allowed from this section to Section 9.285

From General Revenue Fund (0101)\$73,000

SECTION 9.040. — To the Department of Corrections

For the Division of Human Services

For telecommunications department-wide, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment

From General Revenue Fund (0101)\$1,860,529

SECTION 9.045. — To the Department of Corrections

For the Division of Human Services, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....\$9,610,634

Expense and Equipment.....372,570

From General Revenue Fund (0101) (Not to exceed 199.02 F.T.E.)\$9,983,204

SECTION 9.050. — To the Department of Corrections

For the Division of Human Services

For general services, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

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Expense and Equipment
From General Revenue Fund (0101) \$414,882

SECTION 9.055. — To the Department of Corrections

For the Division of Human Services

For the operation of institutional facilities, utilities, systems furniture and structural modifications, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment
From General Revenue Fund (0101) \$26,881,365
From Working Capital Revolving Fund (0510)..... 1,425,607
Total..... \$28,306,972

SECTION 9.060. — To the Department of Corrections

For the Division of Human Services

For the purchase, transportation, and storage of food and food service items, and operational expenses of food preparation facilities at all correctional institutions, provided one hundred percent (100%) flexibility is allowed from personal service to expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service..... \$14,215,487
Expense and Equipment..... 27,969,705
From General Revenue Fund (0101) (Not to exceed 353.00 F.T.E.)..... \$42,185,192

SECTION 9.065. — To the Department of Corrections

For the Division of Human Services

For training costs department-wide, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment
From General Revenue Fund (0101) \$765,197

SECTION 9.070. — To the Department of Corrections

For the Division of Human Services

For employee health and safety, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment
From General Revenue Fund (0101) \$583,699

SECTION 9.075. — To the Department of Corrections

For the Division of Human Services

For overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being

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used to pay overtime to any other state employees, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$12,047,849
From Inmate Canteen Fund (0405).....	53,805
From Working Capital Revolving Fund (0510).....	<u>53,805</u>
Total.....	\$12,155,459

SECTION 9.080. — To the Department of Corrections

For the Division of Adult Institutions

For expenses and small equipment purchased at any of the adult institutions department-wide, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

From General Revenue Fund (0101)	\$23,853,926
From Inmate Incarceration Reimbursement Act Revolving Fund (0828).....	750,000

For expenses related to offender education, recreation, and/or religious services

From Inmate Canteen Fund (0405).....	<u>1,200,000</u>
Total.....	\$25,803,926

SECTION 9.085. — To the Department of Corrections

For the Division of Adult Institutions, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$3,547,705
Expense and Equipment.....	<u>131,888</u>
From General Revenue Fund (0101) (Not to exceed 67.91 F.T.E.)	\$3,679,593

SECTION 9.090. — To the Department of Corrections

For the Division of Adult Institutions

For inmate wage and discharge costs at all correctional facilities, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment

From General Revenue Fund (0101)	\$2,859,031
From Inmate Canteen Fund (0405).....	<u>800,000</u>
Total.....	\$3,659,031

SECTION 9.095. — To the Department of Corrections

For the Division of Adult Institutions

For the Jefferson City Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

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Personal Service	
From General Revenue Fund (0101)	\$21,132,318
From Working Capital Revolving Fund (0510).....	164,978
From Inmate Canteen Fund (0405).....	<u>159,925</u>
Total (Not to exceed 507.00 F.T.E.)	\$21,457,221

SECTION 9.100. — To the Department of Corrections

For the Division of Adult Institutions

For the Women's Eastern Reception, Diagnostic and Correctional Center at Vandalia, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$13,849,226
From Working Capital Revolving Fund (0510).....	41,038
From Inmate Canteen Fund (0405).....	<u>121,573</u>

For the establishment and operation of a prison nursery program pursuant to Section 217.940, RSMo.

Expense and Equipment

From General Revenue Fund (0101)	247,719
From Correctional Center Nursery Program Fund (0201).....	<u>247,719</u>
Total (Not to exceed 327.00 F.T.E.)	\$14,507,275

SECTION 9.105. — To the Department of Corrections

For the Division of Adult Institutions

For the Ozark Correctional Center at Fordland, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$6,725,008
From Inmate Canteen Fund (0405).....	<u>126,839</u>
Total (Not to exceed 153.00 F.T.E.)	\$6,851,847

SECTION 9.110. — To the Department of Corrections

For the Division of Adult Institutions

For the Moberly Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$15,890,742
From Working Capital Revolving Fund (0510).....	75,609
From Inmate Canteen Fund (0405).....	<u>122,481</u>
Total (Not to exceed 371.00 F.T.E.)	\$16,088,832

SECTION 9.115. — To the Department of Corrections

For the Division of Adult Institutions

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the Alcoa Correctional Center at Jefferson City, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$11,713,312
From Inmate Canteen Fund (0405).....	<u>120,038</u>
Total (Not to exceed 275.00 F.T.E.)	\$11,833,350

SECTION 9.120. — To the Department of Corrections

For the Division of Adult Institutions

For the Missouri Eastern Correctional Center at Pacific, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$13,262,146
From Inmate Canteen Fund (0405).....	<u>119,380</u>
Total (Not to exceed 318.00 F.T.E.)	\$13,381,526

SECTION 9.125. — To the Department of Corrections

For the Division of Adult Institutions

For the Chillicothe Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$17,402,709
From Working Capital Revolving Fund (0510).....	41,038
From Inmate Canteen Fund (0405).....	<u>122,648</u>
Total (Not to exceed 428.02 F.T.E.)	\$17,566,395

SECTION 9.130. — To the Department of Corrections

For the Division of Adult Institutions

For the Boonville Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$10,985,169
From Inmate Canteen Fund (0405).....	<u>123,649</u>
Total (Not to exceed 254.00 F.T.E.)	\$11,108,818

SECTION 9.135. — To the Department of Corrections

For the Division of Adult Institutions

For the Farmington Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$22,649,775
From Working Capital Revolving Fund (0510).....	<u>456,650</u>

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From Inmate Canteen Fund (0405).....	<u>167,788</u>
Total (Not to exceed 531.00 F.T.E.)	<u>\$23,274,213</u>

SECTION 9.140. — To the Department of Corrections

For the Division of Adult Institutions

For the Western Missouri Correctional Center at Cameron, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030, one hundred percent (100%) flexibility is allowed between this section and Section 9.170, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$17,383,210
From Inmate Canteen Fund (0405).....	<u>126,867</u>
Total (Not to exceed 408.00 F.T.E.)	<u>\$17,510,077</u>

SECTION 9.145. — To the Department of Corrections

For the Division of Adult Institutions

For the Potosi Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$13,643,594
From Working Capital Revolving Fund (0510).....	41,038
From Inmate Canteen Fund (0405).....	<u>84,811</u>
Total (Not to exceed 318.00 F.T.E.)	<u>\$13,769,443</u>

SECTION 9.150. — To the Department of Corrections

For the Division of Adult Institutions

For the Fulton Reception and Diagnostic Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$17,212,538
From Inmate Canteen Fund (0405).....	<u>122,221</u>
Total (Not to exceed 412.00 F.T.E.)	<u>\$17,334,759</u>

SECTION 9.155. — To the Department of Corrections

For the Division of Adult Institutions

For the Tipton Correctional Center, provided ten percent (10%) flexibility is allowed between institutions and Section 9.030 and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$11,289,809
From Working Capital Revolving Fund (0510).....	41,038
From Inmate Canteen Fund (0405).....	<u>124,660</u>
Total (Not to exceed 260.00 F.T.E.)	<u>\$11,455,507</u>

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SECTION 9.160. — To the Department of Corrections

For the Division of Adult Institutions

For the Western Reception, Diagnostic and Correctional Center at St. Joseph,
provided ten percent (10%) flexibility is allowed between institutions and
Section 9.030 and three percent (3%) flexibility is allowed from this section
to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$20,400,673
From Inmate Canteen Fund (0405).....	<u>121,012</u>
Total (Not to exceed 489.00 F.T.E.)	\$20,521,685

SECTION 9.165. — To the Department of Corrections

For the Division of Adult Institutions

For the Maryville Treatment Center, provided ten percent (10%) flexibility is
allowed between institutions and Section 9.030 and three percent (3%)
flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$7,334,611
From Inmate Canteen Fund (0405).....	<u>78,880</u>
Total (Not to exceed 167.58 F.T.E.)	\$7,413,491

SECTION 9.170. — To the Department of Corrections

For the Division of Adult Institutions

For the Crossroads Correctional Center at Cameron, provided ten percent (10%)
flexibility is allowed between institutions and Section 9.030, one hundred
percent (100%) flexibility is allowed between this section and Section 9.140,
and three percent (3%) flexibility is allowed from this section to Section
9.285

Personal Service

From General Revenue Fund (0101)	\$439,944
From Working Capital Revolving Fund (0510).....	<u>41,450</u>
Total (Not to exceed 11.00 F.T.E.)	\$481,394

SECTION 9.175. — To the Department of Corrections

For the Division of Adult Institutions

For the Northeast Correctional Center at Bowling Green, provided ten percent
(10%) flexibility is allowed between institutions and Section 9.030 and three
percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$20,876,782
From Inmate Canteen Fund (0405).....	<u>120,635</u>
Total (Not to exceed 507.00 F.T.E.)	\$20,997,417

SECTION 9.180. — To the Department of Corrections

For the Division of Adult Institutions

For the Eastern Reception, Diagnostic and Correctional Center at Bonne Terre,
provided ten percent (10%) flexibility is allowed between institutions and

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Matter in bold-face type is proposed language.

Section 9.030 and three percent (3%) flexibility is allowed from this section
to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$23,897,389
From Working Capital Revolving Fund (0510).....	41,038
From Inmate Canteen Fund (0405).....	<u>122,449</u>
Total (Not to exceed 582.00 F.T.E.)	\$24,060,876

SECTION 9.185. — To the Department of Corrections

For the Division of Adult Institutions

For the South Central Correctional Center at Licking, provided ten percent
(10%) flexibility is allowed between institutions and Section 9.030 and three
percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$16,686,480
From Working Capital Revolving Fund (0510).....	82,078
From Inmate Canteen Fund (0405).....	<u>120,796</u>
Total (Not to exceed 399.00 F.T.E.)	\$16,889,354

SECTION 9.190. — To the Department of Corrections

For the Division of Adult Institutions

For the Southeast Correctional Center at Charleston, provided ten percent (10%)
flexibility is allowed between institutions and Section 9.030 and three
percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101)	\$16,268,681
From Working Capital Revolving Fund (0510).....	82,079
From Inmate Canteen Fund (0405).....	<u>121,717</u>
Total (Not to exceed 395.00 F.T.E.)	\$16,472,477

SECTION 9.195. — To the Department of Corrections

For the Division of Offender Rehabilitative Services, provided ten percent
(10%) flexibility is allowed between personal service and expense and
equipment, ten percent (10%) flexibility is allowed between sections, and
three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....\$1,661,250

Expense and Equipment.....48,218

From General Revenue Fund (0101) (Not to exceed 25.15 F.T.E.)\$1,709,468

***SECTION 9.200.** — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For contractual services for offender physical and mental health care, provided
ten percent (10%) flexibility is allowed between sections and three percent
(3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment

From General Revenue Fund (0101) \$179,229,600

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For a pilot program to ensure the availability and use of all medication-assisted treatment products approved by the FDA to treat opioid use disorder, including but not limited to those specified in Section 191.1165, RSMo, in conjunction with treatment for incarcerated offenders

From General Revenue Fund (0101)	1,000,000
From Opioid Addiction Treatment and Recovery Fund (0705)	<u>4,000,000</u>
Total.....	\$184,229,600

*I hereby veto \$1,000,000 general revenue for a pilot program to ensure the availability and use of all medication assisted treatment products approved by the U.S. Food and Drug Administration to treat opioid use disorder. Funding for the program should be limited to the Opioid Addiction Treatment and Recovery Fund. Determinations regarding additional state general revenue funding should be made once the program has been established, the effectiveness of the investments have been demonstrated, and the total cost of the program can be fully determined with offender utilization taken into account.

By \$1,000,000 from \$1,000,000 to \$0 from General Revenue Fund.
From \$184,229,600 to \$183,229,600 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 9.205. — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For substance use and recovery services, provided one hundred percent (100%) flexibility is allowed from personal service to expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$4,579,786
Expense and Equipment.....	<u>4,749,611</u>
From General Revenue Fund (0101)	9,329,397

Expense and Equipment

From Correctional Substance Abuse Earnings Fund (0853)	<u>140,000</u>
Total (Not to exceed 109.00 F.T.E.)	\$9,469,397

SECTION 9.210. — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For toxicology testing, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Expense and Equipment

From General Revenue Fund (0101)	\$517,155
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SECTION 9.215. — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For offender education, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service	
From General Revenue Fund (0101)	\$8,492,423
Expense and Equipment	
From Inmate Canteen Fund (0405).....	<u>1,600,000</u>
Total (Not to exceed 186.00 F.T.E.)	\$10,092,423

SECTION 9.220. — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For Missouri Correctional Enterprises, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$6,493,313
Expense and Equipment.....	<u>19,800,477</u>

From Working Capital Revolving Fund (0510) (Not to exceed 163.88 F.T.E.)\$26,293,790

SECTION 9.225. — To the Department of Corrections

For the Division of Probation and Parole, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$76,209,933
Expense and Equipment.....	<u>3,389,771</u>

From General Revenue Fund (0101)79,599,704

Expense and Equipment	
From Inmate Fund (0540).....	3,936,924

For transfers and refunds set-off against debts as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753).....	<u>2,600,000</u>
Total (Not to exceed 1,686.31 F.T.E.)	\$86,136,628

SECTION 9.230. — To the Department of Corrections

For the Division of Probation and Parole

For the Transition Center of St. Louis, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service

From General Revenue Fund (0101) (Not to exceed 115.36 F.T.E.).....\$5,085,524

SECTION 9.235. — To the Department of Corrections

For the Division of Probation and Parole

For the Transition Center of Kansas City, provided ten percent (10%) flexibility is allowed between sections and three percent (3%) flexibility is allowed from this section to Section 9.285

From General Revenue Fund (0101)	\$4,152,044
From Inmate Canteen (0405).....	42,500

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Inmate Fund (0540).....	57,009
Total (Not to exceed 100.18 F.T.E.)	\$4,251,553

SECTION 9.240. — To the Department of Corrections

For the Division of Probation and Parole

For the Command Center, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$712,849
Expense and Equipment.....	4,900
From General Revenue Fund (0101) (Not to exceed 16.40 F.T.E.)	\$717,749

SECTION 9.245. — To the Department of Corrections

For the Division of Probation and Parole

For low-risk offender supervision

Expense and Equipment, provided fifteen percent (15%) flexibility is allowed between sections 9.245, 9.250 and 9.255

From Inmate Fund (0540).....	\$1,000,000
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SECTION 9.250. — To the Department of Corrections

For the Division of Probation and Parole

For residential treatment services

Expense and Equipment, provided fifteen percent (15%) flexibility is allowed between sections 9.245, 9.250 and 9.255

From Inmate Fund (0540).....	\$3,298,240
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SECTION 9.255. — To the Department of Corrections

For the Division of Probation and Parole

For electronic monitoring

Expense and Equipment, provided fifteen percent (15%) flexibility is allowed between sections 9.245, 9.250 and 9.255

From Inmate Fund (0540).....	\$1,780,289
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SECTION 9.260. — To the Department of Corrections

For the Division of Probation and Parole

For community supervision centers, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$5,311,088
Expense and Equipment.....	441,090
From General Revenue Fund (0101) (Not to exceed 136.42 F.T.E.)	\$5,752,178

SECTION 9.265. — To the Department of Corrections

For the Division of Probation and Parole

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For Parole Board operations, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, ten percent (10%) flexibility is allowed between sections, and three percent (3%) flexibility is allowed from this section to Section 9.285

Personal Service.....	\$1,953,141
Annual salary adjustment in accordance with Section 105.005, RSMo.....	43,039
Expense and Equipment.....	<u>32,475</u>
From General Revenue Fund (0101) (Not to exceed 36.00 F.T.E.)	\$2,028,655

SECTION 9.270. — To the Department of Corrections

For paying an amount in aid to the counties that is the net amount of costs in criminal cases, transportation of convicted criminals to the state penitentiaries, housing, costs for reimbursement of the expenses associated with extradition, less the amount of unpaid city or county liability to furnish public defender office space and utility services pursuant to Section 600.040, RSMo, provided ten percent (10%) flexibility is allowed between reimbursements to county jails, certificates of delivery and extradition payments

For Reimbursements to County Jails at the rate of \$22.58 per prisoner per day	\$39,850,272
For Certificates of Delivery	1,960,000
For Extradition Payments	1,960,000

For the payment of arrearages

From General Revenue Fund (0101)	<u>1,750,676</u>
Total.....	\$45,520,948

SECTION 9.275. — To the Department of Corrections

For payments to counties and cities that operate jails or detention facilities eligible for reimbursement under Section 221.105, RSMo. for the provision of appropriate feminine hygiene products to prisoners. Funds shall be distributed by the department in one annual payment to each county/city based on each county's/city's percent of the total population in eligible counties/cities as determined by the most recent census

From General Revenue Fund (0101)	\$240,000
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SECTION 9.280. — To the Department of Corrections

For operating department institutional canteens for offender use and benefit. Per Section 217.195, RSMo, fund expenditures are solely to improve offender recreational, religious, or educational services, and for canteen cash flow and operating expenses

Expense and Equipment	
From Inmate Canteen Fund (0405).....	\$29,813,375

SECTION 9.282. — To the Department of Corrections

For the costs of settlement and other expenses related to resolution of the Hootselle, et al. v. Missouri Department of Corrections, Case No. 12AC-CC00518-01

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Expense and Equipment	
From General Revenue Fund (0101)	\$1,732,650
From Budget Stabilization Fund (0522)	49,500,000
Total	\$51,232,650

SECTION 9.285. — To the Department of Corrections

Funds are to be transferred out of the State Treasury to the State Legal Expense Fund for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo

From General Revenue Fund (0101)\$1

PART 2**SECTION 9.400.** — To the Department of Corrections

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 9.500.** — To the Department of Corrections**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
9.005	10	\$2,500	0
9.015	20	\$300,000	0
9.045	8	\$250,000	0
9.080	7	\$400,000	0
9.100	14	\$247,719	0
9.100	15	\$247,719	0
9.205	12	\$100,000	0
9.282	7	\$49,500,000	0

Bill Totals

General Revenue Fund.....	\$789,855,604
Federal Funds.....	56,628,892
Other Funds.....	80,256,281
Total.....	\$926,740,777

Approved June 30, 2022

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

CCS SS SCS HCS HB 3010

Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health and the Department of Health and Senior Services

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the purpose of funding each department, division, agency, fund transfer, and program described herein, for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023, as follows:

PART 1

SECTION 10.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarifications of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 10.005. — To the Department of Mental Health
For the Office of the Director, provided three percent (3%) flexibility is allowed
from this section to Section 10.575

Personal Service.....	\$542,762
Expense and Equipment.....	22,431
From General Revenue Fund (0101)	565,193

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	82,410
Expense and Equipment.....	<u>53,657</u>
From Department of Mental Health Federal Fund (0148).....	<u>136,067</u>
Total (Not to exceed 7.82 F.T.E.).....	\$701,260

SECTION 10.010. — To the Department of Mental Health

For the Office of the Director

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	\$1,232,918

SECTION 10.015. — To the Department of Mental Health

For the Office of the Director

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$5,392,474
Expense and Equipment.....	<u>357,683</u>
From General Revenue Fund (0101)	5,750,157

Personal Service.....	1,116,226
Expense and Equipment.....	<u>791,227</u>
From Department of Mental Health Federal Fund (0148).....	1,907,453

To procure and implement a multi-year, vendor-hosted, integrated commercial off the shelf electronic health record system for use in all of the department's hospitals and facilities

Personal Service.....	543,963
Expense and Equipment.....	<u>3,490,000</u>
From General Revenue Fund (0101)	<u>4,033,963</u>
Total (Not to exceed 126.55 F.T.E.)	\$11,691,573

SECTION 10.020. — To the Department of Mental Health

For the Office of the Director

For the COVID-19 Crisis Counseling Program, provided that a portion of funds shall be used to provide services to residents of a county with more than one million inhabitants who have been disproportionately impacted by the coronavirus as indicated by state data, including zip code data and racial demographic data

Personal Service.....	\$90,032
Expense and Equipment.....	5,000,000

For the Emergency COVID-19 Directed Treatment Services Program

Expense and Equipment.....	<u>1,200,000</u>
From Department of Mental Health Federal Stimulus Fund (2345)	
(Not to exceed 2.50 F.T.E.).....	\$6,290,032

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.025. — To the Department of Mental Health

For the Office of the Director

For staff training, provided ten percent (10%) flexibility is allowed from
personal service to expense and equipment and three percent (3%) flexibility
is allowed from this section to Section 10.575

Expense and Equipment

From General Revenue Fund (0101) \$789,140

Personal Service..... 203,821

Expense and Equipment..... 290,256

From Department of Mental Health Federal Fund (0148) 494,077

For the Caring for Missourians' Mental Health Initiative, provided ten percent
(10%) flexibility is allowed from personal service to expense and equipment

Expense and Equipment

From Department of Mental Health Federal Fund (0148) 551,705Total..... \$1,834,922**SECTION 10.030.** — To the Department of Mental Health

For the Office of the Director

For funding insurance, private pay, licensure fee, and/or Medicaid refunds by
state facilities operated by the Department of Mental Health

From General Revenue Fund (0101) \$205,000

For refunds

From Department of Mental Health Federal Fund (0148) 250,000

From Mental Health Interagency Payments Fund (0109).....100

From Mental Health Intergovernmental Transfer Fund (0147).....100

From Compulsive Gamblers Fund (0249)100

From Health Initiatives Fund (0275).....100

From Mental Health Earnings Fund (0288) 50,000

From Inmate Fund (0540).....100

From Mental Health Trust Fund (0926) 25,000

From DMH Local Tax Matching Fund (0930)..... 150,000

From Habilitation Center Room and Board Fund (0435) 10,000

For the transfer payment of refunds set off against debts as required by Section
143.786, RSMo

From Debt Offset Escrow Fund (0753)..... 25,000Total..... \$715,500**SECTION 10.035.** — To the Department of Mental Health

Funds are to be transferred out of the State Treasury to the Mental Health
Trust Fund

From Abandoned Fund Account (0863) \$100,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.040. — To the Department of Mental Health

For the Office of the Director

For receipt and disbursement of donations and gifts which may become available to the Department of Mental Health during the year (excluding federal grants and funds)

Personal Service.....	\$518,339
Expense and Equipment.....	<u>1,925,000</u>
From Mental Health Trust Fund (0926) (Not to exceed 7.50 F.T.E.)	\$2,443,339

SECTION 10.045. — To the Department of Mental Health

For the Office of the Director

For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies which may become available between sessions of the General Assembly provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the use of said funds

Personal Service.....	\$135,020
Expense and Equipment.....	<u>2,462,331</u>
From Department of Mental Health Federal Fund (0148)	
(Not to exceed 2.00 F.T.E.)	\$2,597,351

SECTION 10.050. — To the Department of Mental Health

For the Office of the Director

For housing assistance for homeless veterans, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment	
From General Revenue Fund (0101)	\$255,000
From Department of Mental Health Federal Fund (0148)	1,000,000

For Shelter Plus Care grants

From Department of Mental Health Federal Fund (0148)	<u>14,336,746</u>
Total.....	\$15,591,746

SECTION 10.055. — To the Department of Mental Health

For Medicaid payments related to intergovernmental payments

From Department of Mental Health Federal Fund (0148)	\$11,900,000
From Mental Health Intergovernmental Transfer Fund (0147)	<u>6,600,000</u>
Total.....	\$18,500,000

SECTION 10.060. — To the Department of Mental Health

Funds are to be transferred out of the State Treasury to the Department of Social Services Intergovernmental Transfer Fund for providing the state match for the Department of Mental Health payments

From General Revenue Fund (0101)	\$283,849,564
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.065. — To the Department of Mental Health

Funds are to be transferred out of the State Treasury to the General Revenue Fund to provide the state match for the Department of Mental Health payments

From Department of Mental Health Federal Fund (0148)\$201,393,308

SECTION 10.070. — To the Department of Mental Health

Funds are to be transferred out of the State Treasury to the General Revenue Fund for Disproportionate Share Hospital funds leveraged by the Department of Mental Health - Institution of Mental Disease facilities

From Department of Mental Health Federal Fund (0148)\$50,000,000

SECTION 10.100. — To the Department of Mental Health

For the Division of Behavioral Health

For the administration of statewide comprehensive alcohol and drug abuse prevention and treatment programs, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....\$1,089,843

Expense and Equipment.....23,066

From General Revenue Fund (0101)1,112,909

Personal Service.....975,588

Expense and Equipment.....1,549,017

From Department of Mental Health Federal Fund (0148)2,524,605

Personal Service

From Health Initiatives Fund (0275).....53,842

Total (Not to exceed 32.82 F.T.E.)\$3,691,356

SECTION 10.105. — To the Department of Mental Health

For the Division of Behavioral Health

For prevention and education services, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment

From Department of Mental Health Federal Fund (0148)\$13,425,204

From Department of Mental Health Federal Stimulus - 2021 Fund (2455)3,198,535

Personal Service.....85,730

Expense and Equipment.....300,000

From General Revenue Fund (0101)385,730

Personal Service.....155,232

Expense and Equipment.....306,374

From Department of Mental Health Federal Fund (0148)461,606

For tobacco retailer education

The Division of Behavioral Health shall be allowed to use persons under the age of twenty-one (21) for the purpose of tobacco retailer education in

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Matter in bold-face type is proposed language.

support of Synar requirements under the federal substance abuse prevention and treatment block grant	
Expense and Equipment	
From Department of Mental Health Federal Fund (0148).....	90,194
For enabling enforcement of the provisions of the Family Smoking Prevention and Tobacco Control Act of 2009, in collaboration with the Department of Public Safety, Division of Alcohol and Tobacco Control	
Personal Service.....	338,402
Expense and Equipment.....	<u>180,605</u>
From Department of Mental Health Federal Fund (0148).....	519,007
For Community 2000 Team programs	
Expense and Equipment	
From General Revenue Fund (0101)	1,072,959
From Department of Mental Health Federal Fund (0148).....	2,910,484
From Health Initiatives Fund (0275).....	82,148
For school-based alcohol and drug abuse prevention programs	
Expense and Equipment	
From Department of Mental Health Federal Fund (0148).....	1,319,677
For community grants to local governments impacted by the opioid epidemic	
Expense and Equipment	
From Opioid Addiction Treatment and Recovery Fund (0705)	<u>6,900,000</u>
Total (Not to exceed 8.84 F.T.E.).....	\$30,365,544
SECTION 10.110. — To the Department of Mental Health	
For the Division of Behavioral Health	
For treatment of alcohol and drug abuse, provided three percent (3%) flexibility is allowed from this section to Section 10.575	
Personal Service	
From General Revenue Fund (0101)	\$625,021
Personal Service.....	236,227
Expense and Equipment.....	<u>373,007</u>
From Department of Mental Health Federal Fund (0148).....	609,234
Personal Service	
From Health Initiatives Fund (0275).....	94,168
For treatment of alcohol and drug abuse, provided twenty percent (20%) flexibility is allowed between sections indicated in 10.110, 10.115, 10.210, and 10.230 to allow flexibility in payment for the Certified Community Behavioral Health Clinic Prospective Payment System, and further provided three percent (3%) flexibility is allowed from this section to Section 10.575	
From General Revenue Fund (0101)	10,246,409

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Department of Mental Health Federal Fund (0148) 90,479,830
 From Title XXI-Children's Health Insurance Program Federal Fund (0159)..... 2,202,338
 From Department of Mental Health Federal Stimulus - 2021 Fund (2455) 13,080,563

For treatment of alcohol and drug abuse

From Inmate Fund (0540)..... 3,513,779
 From Health Initiatives Fund (0275)..... 5,982,298
 From DMH Local Tax Matching Fund (0930)..... 963,775

For funding youth services

From Mental Health Interagency Payments Fund (0109)..... 10,000

For reducing recidivism among offenders with serious substance use disorders who are returning to the St. Louis or Kansas City areas from any of the state correctional facilities. Additionally, remaining funds shall be used to support offenders returning to other regions of the state who are working with available treatment slots from the Department of Mental Health. The department shall select a qualified not-for-profit service provider in accordance with state purchasing rules. The provider must have experience serving this population in a correctional setting as well as in the community. The provider shall design and implement an evidence-based program that includes a continuum of services from prison to community, including medication assisted treatment that is initiated prior to release, when appropriate. The program must include an evaluation component to determine its effectiveness relative to other options, provided three percent (3%) flexibility is allowed from this section to Section 10.575

From General Revenue Fund (0101) 1,791,475

For the sole purpose of conducting and evaluating a Pilot Project at Women's Eastern Reception and Diagnostic, Northeast, Chillicothe, and Cremer Therapeutic Community Centers for up to one hundred fifty (150) women and up to forty-five (45) males, with twenty (20) of the individuals selected having a developmental disability. If it is deemed medically appropriate, these individuals may volunteer to receive FDA approved non-addictive medication assisted treatment for alcohol dependence and prevention of relapse to opioid dependence prior to release, and for up to six (6) months after release. Other medical services, including but not limited to, substance use disorder treatment services, may be provided by the contracted health care vendor to the Missouri Department of Corrections, and upon release, to designated substance use disorder treatment providers in the community, including Saint Louis and Kansas City metropolitan areas, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment

From General Revenue Fund (0101) 772,669

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

For Recovery Support Services with the Access to Recovery Program	
Expense and Equipment	
From General Revenue Fund (0101)	3,920,740
From Department of Mental Health Federal Fund (0148)	2,598,084
For Peer Recovery Services	
Expense and Equipment	
From General Revenue Fund (0101)	1,399,877
For statewide distribution of opioid antagonists approved by the Food and Drug Administration, provided that \$100,000 be utilized for a pilot project to distribute fentanyl test strips to community-based organizations	
From Opioid Addiction Treatment and Recovery Fund (0705)	5,100,000
Total (Not to exceed 16.56 F.T.E.)	\$143,390,260

SECTION 10.115. — To the Department of Mental Health

For the Division of Behavioral Health

For treatment of alcohol and drug abuse for payment of services to Certified Community Behavioral Health Organizations, provided twenty percent (20%) flexibility is allowed between sections indicated in 10.110, 10.115, 10.210, and 10.230

Expense and Equipment	
From General Revenue Fund (0101)	\$26,433,076
From Department of Mental Health Federal Fund (0148)	29,133,096
From Title XXI-Children's Health Insurance Program Federal Fund (0159)	312,439
Total	\$55,878,611

SECTION 10.120. — To the Department of Mental Health

For the Division of Behavioral Health

For treatment of compulsive gambling

Expense and Equipment	
From Compulsive Gamblers Fund (0249)	\$153,606

SECTION 10.125. — To the Department of Mental Health

For the Division of Behavioral Health

For the Substance Abuse Traffic Offender Program

Personal Service	\$27,309
Expense and Equipment	407,458
From Department of Mental Health Federal Fund (0148)	434,767

Expense and Equipment	
From Mental Health Earnings Fund (0288)	6,995,353

Personal Service	135,792
Expense and Equipment	10,621
From Health Initiatives Fund (0275)	146,413
Total (Not to exceed 3.48 F.T.E.)	\$7,576,533

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.200. — To the Department of Mental Health

For the Division of Behavioral Health

For the administration of comprehensive psychiatric services, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$1,067,949
Expense and Equipment.....	<u>57,261</u>
From General Revenue Fund (0101)	1,125,210

Personal Service.....	652,216
Expense and Equipment.....	<u>331,499</u>
From Department of Mental Health Federal Fund (0148)	983,715

For suicide prevention initiatives

Personal Service.....	71,026
Expense and Equipment.....	<u>1,496,939</u>
From Department of Mental Health Federal Fund (0148)	1,567,965

Expense and Equipment	
From Department of Mental Health Federal Stimulus Fund (2345)	300,000

Expense and Equipment	
From Mental Health Earnings Fund (0288)	<u>475,024</u>
Total (Not to exceed 29.10 F.T.E.)	\$4,451,914

SECTION 10.205. — To the Department of Mental Health

For the Division of Behavioral Health

For facility support and PRN nursing and direct care staff pool, provided that staff paid from the PRN nursing and direct care staff pool will only incur fringe benefit costs applicable to part time employment, and fifteen percent (15%) flexibility is allowed between personal service and expense and equipment, and three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$3,729,963
Expense and Equipment.....	<u>57,121</u>
From General Revenue Fund (0101)	3,787,084

For funding costs for forensic clients resulting from loss of benefits under provisions of the Social Security Domestic Employment Reform Act of 1994, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment	
From General Revenue Fund (0101)	850,752

To pay the state operated hospital provider tax	
Expense and Equipment	
From General Revenue Fund (0101)	14,100,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For funding expenses related to fluctuating census demands, Medicare bundling compliance, Medicare Part D implementation, and to restore facilities personal service and/or expense and equipment incurred for direct care worker training and other operational maintenance expenses, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment	
From Department of Mental Health Federal Fund (0148).....	4,438,900
From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	200,184
Personal Service.....	106,931
Expense and Equipment.....	<u>1,271,646</u>
From Mental Health Earnings Fund (0288)	1,378,577

For those Voluntary by Guardian clients transitioning from state psychiatric facilities to the community or to support those clients in facilities waiting to transition to the community, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Expense and Equipment	
From General Revenue Fund (0101)	<u>328,217</u>
Total (Not to exceed 79.62 F.T.E.)	\$25,083,714

SECTION 10.210. — To the Department of Mental Health

For the Division of Behavioral Health

For adult community programs, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$260,841
Expense and Equipment.....	<u>851,111</u>
From General Revenue Fund (0101)	1,111,952

Personal Service.....	230,504
Expense and Equipment.....	<u>2,592,021</u>
From Department of Mental Health Federal Fund (0148).....	2,822,525

Expense and Equipment	
From Budget Stabilization Fund (0522)	13,785,309

Personal Service.....	268,343
Expense and Equipment.....	<u>932,092</u>
From Department of Mental Health Federal Stimulus - 2021 Fund (2455)	1,200,435

For adult community programs, provided ten percent (10%) of this appropriation may be used for services for youth, and further provided twenty percent (20%) flexibility is allowed between sections indicated in 10.110, 10.210, 10.215 and 10.230 to allow flexibility in payment for the Certified Community Behavioral Health Clinic Prospective Payment System

Expense and Equipment

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From General Revenue Fund (0101)	20,031,196
From Department of Mental Health Federal Fund (0148)	51,257,135
From Department of Mental Health Federal Stimulus - 2021 Fund (2455)	8,096,616
From Title XXI-Children's Health Insurance Program Federal Fund (0159)	11,180,232
From DMH Local Tax Matching Fund (0930)	2,426,903
For mental health services and support services to other agencies	
Expense and Equipment	
From Mental Health Interagency Payments Fund (0109)	1,310,572
For programs for the homeless mentally ill, provided three percent (3%) flexibility is allowed from this section to Section 10.575	
Expense and Equipment	
From General Revenue Fund (0101)	569,108
From Department of Mental Health Federal Fund (0148)	964,080
For the Missouri Eating Disorder Council and its responsibilities under Section 630.575, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 10.575	
Personal Service	38,329
Expense and Equipment	<u>104,353</u>
From General Revenue Fund (0101)	142,682
For the marketing and promotion, by December 31, 2022, of the 988 National Suicide Prevention Lifeline	
From General Revenue Fund (0101)	1,000,000
For community based services in the St. Louis Eastern Region for Community Access to Care Facilitation	
Expense and Equipment	
From Department of Mental Health Federal Fund (0148)	2,000,000
For Federally Qualified Health Centers, located in any city with more than four hundred thousand inhabitants and located in more than one county, and in any city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants, to provide mental health services	
From General Revenue Fund (0101)	<u>550,000</u>
Total (Not to exceed 10.31 F.T.E.)	\$118,448,745

SECTION 10.215. — To the Department of Mental Health

For the Division of Behavioral Health

For adult community programs for payment of services to Certified Community

Behavioral Health Organizations, provided twenty percent (20%) flexibility is allowed between sections indicated in 10.110, 10.210, 10.215 and 10.230

Expense and Equipment

From General Revenue Fund (0101)

\$113,641,602

From Department of Mental Health Federal Fund (0148)

266,264,368

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From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	1,919,631
From Budget Stabilization Fund (0522)	<u>6,680,493</u>
Total.....	\$388,506,094

SECTION 10.220. — To the Department of Mental Health

For the Division of Behavioral Health

For reimbursing attorneys, physicians, and counties for fees in involuntary civil
commitment procedures, provided three percent (3%) flexibility is allowed
from this section to Section 10.575

Expense and Equipment

From General Revenue Fund (0101)	\$747,441
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SECTION 10.225. — To the Department of Mental Health

For the Division of Behavioral Health

For forensic support services, provided three percent (3%) flexibility is allowed
from this section to Section 10.575

Personal Service.....\$873,167

Expense and Equipment.....28,945

From General Revenue Fund (0101)	902,112
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Personal Service.....4,545

Expense and Equipment.....45,533

From Department of Mental Health Federal Fund (0148).....	<u>50,078</u>
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Total (Not to exceed 15.88 F.T.E.)	\$952,190
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SECTION 10.230. — To the Department of Mental Health

For the Division of Behavioral Health

For youth community programs, provided three percent (3%) flexibility is
allowed from this section to Section 10.575

Personal Service.....\$90,831

Expense and Equipment.....91,796

From General Revenue Fund (0101)	182,627
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Personal Service.....231,225

Expense and Equipment.....1,097,314

From Department of Mental Health Federal Fund (0148).....	1,328,539
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For youth community programs, provided ten percent (10%) of this
appropriation may be used for services for adults, and further provided
twenty percent (20%) flexibility is allowed between sections indicated in
10.110, 10.210, 10.230, and 10.235 to allow flexibility in payment for the
Certified Community Behavioral Health Clinic Prospective Payment
System

Expense and Equipment

From General Revenue Fund (0101)	6,935,433
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From Department of Mental Health Federal Fund (0148).....	14,518,412
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From Department of Mental Health Federal Stimulus - 2021 Fund (2455)	882,000
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From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	3,383,220
From DMH Local Tax Matching Fund (0930).....	1,406,879

For youth services

From Mental Health Interagency Payments Fund (0109).....	600,000
Total (Not to exceed 5.29 F.T.E.).....	\$29,237,110

SECTION 10.235. — To the Department of Mental Health

For the Division of Behavioral Health

For youth community programs, for payment of services to Certified
Community Behavioral Health Organizations, provided twenty percent
(20%) flexibility is allowed between sections indicated in 10.110, 10.210,
10.230, and 10.235

Expense and Equipment

From General Revenue Fund (0101)	\$34,138,073
From Department of Mental Health Federal Fund (0148)	84,225,546
From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	2,283,346
Total.....	\$120,646,965

SECTION 10.240. — To the Department of Mental Health

For the Division of Behavioral Health

For the purchase and administration of new medication therapies

Expense and Equipment

From General Revenue Fund (0101)	\$16,177,234
From Department of Mental Health Federal Fund (0148)	701,243
From Department of Mental Health Federal Stimulus - 2021 Fund (2455)	315,000

For a substance abuse initiative that focuses on providing medication assisted
treatment to treat substance use disorders. Eligible Federally Qualified
Health Centers shall have provided walk-in medication assisted treatment
services in the previous year

From Opioid Addiction Treatment and Recovery Fund (0705)	1,000,000
Total.....	\$18,193,477

SECTION 10.241. — To the Department of Mental Health

For the Division of Behavioral Health

For a pilot project to develop a learning collaborative partnership with a non-
state governmental acute care hospital operating inpatient behavioral health
beds in a state-owned facility. Project focuses on minimizing barriers to care
to reduce inpatient length of stays, contain costs, improve outcomes and
stabilize patients. Partner hospital must provide a holistic approach to care
for Medicaid and uninsured patients, including chronic care management,
dental services, inpatient psych services, outpatient behavioral health
services, including substance abuse services, crisis intervention services for
law enforcement, housing and transportation

From Budget Stabilization Fund (0522)	\$5,000,000
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SECTION 10.300. — To the Department of Mental Health

For the Division of Behavioral Health

For the Fulton State Hospital, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and further provided ten percent (10%) flexibility is allowed between Fulton State Hospital and Fulton State Hospital Sexual Offender Rehabilitation and Treatment Services Program, and further provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$46,681,300
Expense and Equipment.....	8,543,070
From General Revenue Fund (0101)	55,224,370
Personal Service.....	988,596
Expense and Equipment.....	618,895
From Department of Mental Health Federal Fund (0148)	1,607,491

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	749,289

For the Fulton State Hospital Sexual Offender Rehabilitation and Treatment Services Program, provided that fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and further provided ten percent (10%) flexibility is allowed between Fulton State Hospital Sexual Offender Rehabilitation and Treatment Services Program and Fulton State Hospital, and further provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	11,624,011
Expense and Equipment.....	2,580,760
From General Revenue Fund (0101)	14,204,771

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	70,343
Total (Not to exceed 1,272.92 F.T.E.)	\$71,856,264

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Matter in bold-face type is proposed language.

SECTION 10.305. — To the Department of Mental Health

For the Division of Behavioral Health

For the Northwest Missouri Psychiatric Rehabilitation Center, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and further provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$12,222,755
Expense and Equipment.....	2,409,014
From General Revenue Fund (0101)	14,631,769

Personal Service.....	820,782
Expense and Equipment.....	105,903
From Department of Mental Health Federal Fund (0148)	926,685

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	190,759
From Department of Mental Health Federal Fund (0148)	11,762
Total (Not to exceed 283.51 F.T.E.)	\$15,760,975

SECTION 10.310. — To the Department of Mental Health

For the Division of Behavioral Health

For the Forensic Treatment Center, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$30,511,850
Expense and Equipment.....	6,282,361
From General Revenue Fund (0101)	36,794,211

Personal Service.....	894,828
Expense and Equipment.....	93,210
From Department of Mental Health Federal Fund (0148)	988,038

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	347,858
From Department of Mental Health Federal Fund (0148)	2,169
Total (Not to exceed 687.64 F.T.E.)	\$38,132,276

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Matter in bold-face type is proposed language.

SECTION 10.315. — To the Department of Mental Health

For the Division of Behavioral Health

For the Southeast Missouri Mental Health Center, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and provided ten percent (10%) flexibility is allowed between Southeast Missouri Mental Health Center and Southeast Missouri Mental Health Center-Sexual Offender Rehabilitation and Treatment Services Program, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$20,627,936
Expense and Equipment.....	<u>3,102,810</u>
From General Revenue Fund (0101)	23,730,746
Personal Service.....	300,712
Expense and Equipment.....	<u>219,538</u>
From Department of Mental Health Federal Fund (0148).....	520,250

Personal Service	
From Mental Health Trust Fund (0926)	86,299

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	186,820

For the Southeast Missouri Mental Health Center-Sexual Offender Rehabilitation and Treatment Services Program, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and ten percent (10%) flexibility is allowed between Southeast Missouri Mental Health Center-Sexual Offender Rehabilitation and Treatment Services Program and Southeast Missouri Mental Health Center, and further provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and further provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	21,697,486
Expense and Equipment.....	<u>4,459,666</u>
From General Revenue Fund (0101)	26,157,152

Personal Service	
From Department of Mental Health Federal Fund (0148).....	29,287

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Matter in bold-face type is proposed language.

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service

From General Revenue Fund (0101)	97,179
Total (Not to exceed 976.92 F.T.E.)	\$50,807,733

SECTION 10.320. — To the Department of Mental Health

For the Division of Behavioral Health

For the Center for Behavioral Medicine, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated facilities, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$14,456,330
Expense and Equipment.....	2,193,122
From General Revenue Fund (0101)	16,649,452

Personal Service.....	251,970
Expense and Equipment.....	633,607
From Department of Mental Health Federal Fund (0148)	885,577

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service

From General Revenue Fund (0101)	282,219
Total (Not to exceed 302.55 F.T.E.)	\$17,817,248

SECTION 10.325. — To the Department of Mental Health

For the Division of Behavioral Health

For the Hawthorn Children's Psychiatric Hospital, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$7,953,363
Expense and Equipment.....	1,030,146
From General Revenue Fund (0101)	8,983,509

Personal Service.....	1,938,898
Expense and Equipment.....	197,901
From Department of Mental Health Federal Fund (0148)	2,136,799

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

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Personal Service	
From General Revenue Fund (0101)	74,541
From Department of Mental Health Federal Fund (0148)	<u>7,553</u>
Total (Not to exceed 215.80 F.T.E.)	\$11,202,402

SECTION 10.400. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the division administration, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service	\$1,500,350
Expense and Equipment	<u>59,361</u>
From General Revenue Fund (0101)	1,559,711

Personal Service	324,020
Expense and Equipment	<u>761,400</u>
From Department of Mental Health Federal Fund (0148)	<u>1,085,420</u>
Total (Not to exceed 29.37 F.T.E.)	\$2,645,131

SECTION 10.405. — To the Department of Mental Health

For the Division of Developmental Disabilities

To pay the state operated Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/ID) provider tax

Expense and Equipment

From General Revenue Fund (0101)	\$6,200,000
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For habilitation centers

Expense and Equipment

From Habilitation Center Room and Board Fund (0435)	3,416,336
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For the Division of Developmental Disabilities

For State Operated Community Waivers

From Department of Mental Health Federal Stimulus-2021 Fund (2455)	<u>3,400,000</u>
Total	\$13,016,336

SECTION 10.410. — To the Department of Mental Health

For the Division of Developmental Disabilities

Provided that residential services for non-Medicaid eligibles shall not be reduced below the prior year expenditures as long as the person is evaluated to need the services

For community programs, including long-term care transformation initiatives and efforts for reimbursement of providers based on integration of key identified outcomes that produce value-based care delivery models to improve quality and efficiency of the total care delivered to individuals

From General Revenue Fund (0101)	\$563,447,122
From Department of Mental Health Federal Fund (0148)	1,331,903,258
From Title XXI-Children's Health Insurance Program Federal Fund (0159)	2,458,709
From HCBS FMAP Enhancement Fund (2444)	110,539,247
From DMH Local Tax Matching Fund (0930)	1,015,000

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For community programs, provided three percent (3%) flexibility is allowed from this section to Section 10.575	
Personal Service.....	760,290
Expense and Equipment.....	34,839
From General Revenue Fund (0101)	795,129
Personal Service.....	991,137
Expense and Equipment.....	178,750
From Department of Mental Health Federal Fund (0148)	1,169,887
For statewide autism outreach, education, and awareness programs for persons with autism and their families	
From General Revenue Fund (0101)	11,781,599
For an Autism Center located in a city with more than fifty-one thousand but fewer than fifty-eight thousand inhabitants and located in more than one county	
From General Revenue Fund (0101)	51,511
For Autism Outreach Initiatives for Children in Northeast Missouri	
From General Revenue Fund (0101)	51,511
For Regional Autism projects	
From General Revenue Fund (0101)	9,017,135
For services for children who are clients of the Department of Social Services	
From Mental Health Interagency Payments Fund (0109).....	8,916,325
For the Developmental Disability Training Program in a county with more than four hundred thousand but fewer than five hundred thousand inhabitants and a county with more than one million inhabitants	
From General Revenue Fund (0101)	250,000
For youth services	
From Mental Health Interagency Payments Fund (0109).....	213,832
For Senate Bill 40 Board Tax Funds to be used as match for Medicaid initiatives for clients of the division	
From DMH Local Tax Matching Fund (0930).....	5,889,538
Total (Not to exceed 24.59 F.T.E.)	\$2,047,499,803

SECTION 10.411. — To the Department of Mental Health

For an autism center headquartered in a city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 1:1 basis by the recipient	
From Budget Stabilization Fund (0522).....	\$5,000,000

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Matter in bold-face type is proposed language.

For an autism center headquartered in a city with more than fifty-one thousand but fewer than fifty-eight thousand inhabitants and located in more than one county, provided that any grant awards disbursed from this appropriation shall be matched on a 1:1 basis by the recipient

From Budget Stabilization Fund (0522)	5,000,000
Total.....	\$10,000,000

SECTION 10.415. — To the Department of Mental Health

For the Division of Developmental Disabilities

For developmental disability home and community based services enhancements

From HCBS FMAP Enhancement Fund (2444)	\$12,054,815
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SECTION 10.420. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the reimbursement of hospitals related to individuals who qualify for placement and support through the Division of Developmental Disabilities who may otherwise be eligible for discharge but cannot be discharged due to a lack of availability within an appropriate community placement. Such hospitals shall provide a request for funding documenting these individuals, length of stay beyond discharge, and effort to find placement. The division shall on a pro-rata basis provide a per diem reimbursement on an annual basis

From General Revenue Fund (0101)	\$2,000,000
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SECTION 10.425. — To the Department of Mental Health

For the Division of Developmental Disabilities

For community support staff, provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service

From General Revenue Fund (0101)	\$3,099,047
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From Department of Mental Health Federal Fund (0148)	8,270,263
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Total (Not to exceed 234.38 F.T.E.)	\$11,369,310
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SECTION 10.430. — To the Department of Mental Health

For the Division of Developmental Disabilities

For developmental disabilities services, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment

Personal Service.....	\$475,809
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Expense and Equipment.....	1,825,370
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From Department of Mental Health Federal Fund (0148)	2,301,179
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Expense and Equipment

From Department of Mental Health Federal Stimulus - 2021 Fund (2345)	17,768
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Total (Not to exceed 7.98 F.T.E.).....	\$2,318,947
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SECTION 10.435. — To the Department of Mental Health

Funds are to be transferred out of the State Treasury, to the General Revenue Fund as a result of recovering the Intermediate Care Facility Intellectually Disabled (ICF/ID) Reimbursement Allowance Fund

From Intermediate Care Facility Intellectually Disabled Reimbursement Allowance Fund (0901).....\$2,300,000

Funds are to be transferred out of the State Treasury, to Department of Mental Health Federal Fund

From Intermediate Care Facility Intellectually Disabled Reimbursement Allowance Fund (0901)..... 4,066,456
Total.....\$6,366,456

SECTION 10.500. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Central Missouri Regional Center, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....\$3,826,174
Expense and Equipment..... 179,412
From General Revenue Fund (0101)4,005,586

Personal Service.....675,859
Expense and Equipment..... 111,056
From Department of Mental Health Federal Fund (0148) 786,915
Total (Not to exceed 98.70 F.T.E.)\$4,792,501

SECTION 10.505. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Kansas City Regional Center, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....\$3,603,019
Expense and Equipment..... 252,160
From General Revenue Fund (0101)3,855,179

Personal Service.....1,264,752
Expense and Equipment..... 111,557
From Department of Mental Health Federal Fund (0148) 1,376,309
Total (Not to exceed 97.74 F.T.E.)\$5,231,488

SECTION 10.510. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Sikeston Regional Center, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and

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provided three percent (3%) flexibility is allowed from this section to Section 10.575	
Personal Service.....	\$2,015,284
Expense and Equipment.....	128,476
From General Revenue Fund (0101)	2,143,760
Personal Service.....	247,422
Expense and Equipment.....	27,735
From Department of Mental Health Federal Fund (0148)	275,157
Total (Not to exceed 48.57 F.T.E.)	\$2,418,917

SECTION 10.515. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Springfield Regional Center, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$2,422,036
Expense and Equipment.....	167,905
From General Revenue Fund (0101)	2,589,941

Personal Service.....	386,979
Expense and Equipment.....	41,508
From Department of Mental Health Federal Fund (0148)	428,487
Total (Not to exceed 60.13 F.T.E.)	\$3,018,428

SECTION 10.520. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the St. Louis Regional Center, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$5,561,532
Expense and Equipment.....	384,676
From General Revenue Fund (0101)	5,946,208

Personal Service.....	1,106,331
Expense and Equipment.....	244,673
From Department of Mental Health Federal Fund (0148)	1,351,004
Total (Not to exceed 141.00 F.T.E.)	\$7,297,212

SECTION 10.525. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Bellefontaine Habilitation Center, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and

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equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$8,956,043
Expense and Equipment.....	<u>277,308</u>
From General Revenue Fund (0101)	9,233,351

Personal Service.....	9,500,918
Expense and Equipment.....	<u>645,232</u>
From Department of Mental Health Federal Fund (0148)	10,146,150

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	1,049,952
From Department of Mental Health Federal Fund (0148)	<u>40,507</u>
Total (Not to exceed 459.35 F.T.E.)	\$20,469,960

SECTION 10.530. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Higginsville Habilitation Center, provided thirty percent (30%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided fifty percent (50%) flexibility is allowed between this section and Section 10.535 to allow flexibility for the transition of the Optimistic Beginnings program, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$5,148,464
Expense and Equipment.....	<u>75,352</u>
From General Revenue Fund (0101)	5,223,816

Personal Service.....	6,415,504
Expense and Equipment.....	<u>366,652</u>
From Department of Mental Health Federal Fund (0148)	6,782,156

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	457,669
From Department of Mental Health Federal Fund (0148)	<u>96,572</u>
Total (Not to exceed 333.43 F.T.E.)	\$12,560,213

SECTION 10.535. — To the Department of Mental Health

For the Division of Developmental Disabilities

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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For Northwest Community Services, provided thirty percent (30%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided fifty percent (50%) flexibility is allowed between this section and Section 10.530 to allow flexibility for the transition of the Optimistic Beginnings program, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$8,975,324
Expense and Equipment.....	<u>441,042</u>
From General Revenue Fund (0101)	9,416,366

Personal Service.....	12,900,573
Expense and Equipment.....	<u>580,128</u>
From Department of Mental Health Federal Fund (0148).....	13,480,701

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	<u>831,427</u>
Total (Not to exceed 609.21 F.T.E.)	\$23,728,494

SECTION 10.540. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the Southwest Community, provided fifteen percent (15%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$3,705,700
Expense and Equipment.....	<u>76,552</u>
From General Revenue Fund (0101)	3,782,252

Personal Service.....	5,120,063
Expense and Equipment.....	<u>359,918</u>
From Department of Mental Health Federal Fund (0148).....	5,479,981

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	35,485
From Department of Mental Health Federal Fund (0148).....	<u>230,054</u>
Total (Not to exceed 238.96 F.T.E.)	\$9,527,772

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SECTION 10.545. — To the Department of Mental Health

For the Division of Developmental Disabilities

For the St. Louis Developmental Disabilities Treatment Center, provided thirty percent (30%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$7,326,085
Expense and Equipment.....	<u>1,884,427</u>
From General Revenue Fund (0101)	9,210,512
Personal Service.....	12,590,692
Expense and Equipment.....	<u>718,773</u>
From Department of Mental Health Federal Fund (0148)	<u>13,309,465</u>
Total (Not to exceed 504.74 F.T.E.)	\$22,519,977

SECTION 10.550. — To the Department of Mental Health

For the Division of Developmental Disabilities

For Southeast Missouri Residential Services, provided thirty percent (30%) may be spent on the Purchase of Community Services, including transitioning clients to the community or other state-operated services, and ten percent (10%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.575

Personal Service.....	\$3,254,968
Expense and Equipment.....	<u>53,664</u>
From General Revenue Fund (0101)	3,308,632
Personal Service.....	5,274,273
Expense and Equipment.....	<u>633,271</u>
From Department of Mental Health Federal Fund (0148)	5,907,544

For paying overtime to state employees. Nonexempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds being used to pay overtime to any other state employees

Personal Service	
From General Revenue Fund (0101)	223,914
From Department of Mental Health Federal Fund (0148)	<u>87,328</u>
Total (Not to exceed 249.19 F.T.E.)	\$9,527,418

SECTION 10.555. — To the Department of Mental Health

For the Division of Developmental Disabilities

For a comprehensive program located in a city not within a county. The purpose of such program shall be to promote basic scientific research, clinic patient research, and patient care for tuberous sclerosis complex

From General Revenue Fund (0101)	\$250,000
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SECTION 10.575. — To the Department of Mental Health

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)\$1

SECTION 10.576. — To the Department of Mental Health

For medical and health related services performed by any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital

From General Revenue Fund (0101)\$0

From Federal and Other Funds (Various)..... 0

Total.....\$0

SECTION 10.600. — To the Department of Health and Senior Services

For the Office of the Director

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....\$234,966

Expense and Equipment..... 17,051

From General Revenue Fund (0101) 252,017

Personal Service..... 570,832

Expense and Equipment..... 66,862

From Department of Health and Senior Services Federal Fund (0143)..... 637,694

Total (Not to exceed 11.00 F.T.E.)\$889,711

SECTION 10.605. — To the Department of Health and Senior Services

For the Division of Administration

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....\$323,469

Expense and Equipment..... 59,660

From General Revenue Fund (0101) 383,129

For program operations and support

Personal Service..... 3,445,382

Expense and Equipment..... 1,439,183

From Department of Health and Senior Services Federal Fund (0143)..... 4,884,565

Expense and Equipment

From Nursing Facility Quality of Care Fund (0271)..... 330,000

Expense and Equipment

From Health Access Incentive Fund (0276)..... 50,000

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Expense and Equipment	
From Mammography Fund (0293)	25,000
Personal Service.....	156,648
Expense and Equipment.....	<u>200,000</u>
From Missouri Public Health Services Fund (0298)	356,648
Expense and Equipment	
From Professional and Practical Nursing Student Loan and Nurse Loan	
Repayment Fund (0565).....	30,000
Expense and Equipment	
From Department of Health and Senior Services Document Services	
Fund (0646).....	44,571
Expense and Equipment	
From Department of Health - Donated Fund (0658)	30,000
Expense and Equipment	
From Putative Father Registry Fund (0780).....	25,000
Expense and Equipment	
From Organ Donor Program Fund (0824)	30,000
Expense and Equipment	
From Childhood Lead Testing Fund (0899)	<u>5,000</u>
Total (Not to exceed 74.35 F.T.E.)	\$6,193,913

SECTION 10.610. — To the Department of Health and Senior Services

Funds are to be transferred out of the State Treasury, to the Health Access

Incentive Fund

From Health Initiatives Fund (0275)..... \$759,624

SECTION 10.615. — To the Department of Health and Senior Services

For the Division of Administration

For the payment of refunds set off against debts in accordance with Section

143.786, RSMo

From Debt Offset Escrow Fund (0753)..... \$50,000

SECTION 10.620. — To the Department of Health and Senior Services

For the Division of Administration

For refunds

From General Revenue Fund (0101)

\$50,000

For refunds, provided fifty percent (50%) flexibility is allowed between federal
and other funds

From Department of Health and Senior Services Federal Fund (0143)..... 100,000

From Nursing Facility Quality of Care Fund (0271)

9,240

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From Health Access Incentive Fund (0276).....	5,000
From Mammography Fund (0293).....	1,000
From Missouri Public Health Services Fund (0298).....	39,000
From Endowed Cemetery Audit Fund (0562).....	2,899
From Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund (0565).....	2,500
From Missouri Veterans' Health and Care Fund (0606).....	51,000
From Department of Health and Senior Services Document Services Fund (0646).....	10,000
From Department of Health - Donated Fund (0658).....	15,133
From Criminal Record System Fund (0671).....	333
From Children's Trust Fund (0694).....	13,495
From Brain Injury Fund (0742).....	100
From Missouri State Coroners' Training Fund (0846).....	1,200
From Organ Donor Program Fund (0824).....	25
From Childhood Lead Testing Fund (0899).....	275
Total.....	\$301,200

SECTION 10.625. — To the Department of Health and Senior Services

For the Division of Administration

For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies which may become available between sessions of the General Assembly provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the use of said funds

Personal Service.....	\$115,414
Expense and Equipment.....	3,000,001
From Department of Health and Senior Services Federal Fund (0143).....	3,115,415
Personal Service.....	115,381
Expense and Equipment.....	347,596
From Department of Health - Donated Fund (0658).....	462,977
Total.....	\$3,578,392

SECTION 10.700. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Adolescent Health Program, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service	
From General Revenue Fund (0101).....	\$17,300
Expense and Equipment	
From Department of Health and Senior Services Federal Fund (0143).....	133,521
From Health Initiatives Fund (0275).....	1,228

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For program operations and support, provided thirty percent (30%) flexibility is allowed between personal service and expense and equipment, and provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....	5,479,038
Expense and Equipment.....	70,900
From General Revenue Fund (0101)	5,549,938

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....	14,590,560
Expense and Equipment.....	4,406,315
From Department of Health and Senior Services Federal Fund (0143).....	18,996,875

Personal Service.....	49,217
Expense and Equipment.....	14,145
From Temporary Assistance for Needy Families Fund (0199)	63,362

Personal Service.....	1,131,651
Expense and Equipment.....	2,919,005
From Health Initiatives Fund (0275).....	4,050,656

Personal Service.....	734,664
Expense and Equipment.....	172,003
From Missouri Public Health Services Fund (0298)	906,667

Personal Service.....	85,648
Expense and Equipment.....	68,048
From Department of Health and Senior Services Document Services Fund (0646).....	153,696

Personal Service.....	80,171
Expense and Equipment.....	23,785
From Environmental Radiation Monitoring Fund (0656).....	103,956

Personal Service.....	208,325
Expense and Equipment.....	333,830
From Department of Health - Donated Fund (0658)	542,155

Personal Service.....	235,897
Expense and Equipment.....	66,883
From Hazardous Waste Fund (0676).....	302,780

Personal Service.....	98,910
Expense and Equipment.....	27,748
From Putative Father Registry Fund (0780).....	126,658

Personal Service.....	128,091
Expense and Equipment.....	131,887
From Organ Donor Program Fund (0824)	259,978

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Personal Service.....	311,639
Expense and Equipment.....	500
From Child Care and Development Block Grant Federal Fund (0168).....	312,139

Expense and Equipment	
From Governor's Council on Physical Fitness Institution Gift Trust	
Fund (0924).....	47,500
Total (Not to exceed 411.87 F.T.E.)	\$31,568,409

SECTION 10.705. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For core public health functions and related expenses, provided three percent

(3%) flexibility is allowed from this section to Section 10.955

Expense and Equipment

From General Revenue Fund (0101)	\$3,572,692
From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	9,900,000

For the replacement of X-ray fluorescence (XRF) analyzers

From Budget Stabilization Fund (0522)	600,000
Total.....	\$14,072,692

SECTION 10.710. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Adolescent Health Program

Expense and Equipment

From Department of Health and Senior Services Federal Fund (0143).....	\$2,086,539
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For the Missouri Donated Dental Services Program

Expense and Equipment

From General Revenue Fund (0101)	90,000
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For the SAFE-CARE Program, including implementing a regionalized medical response to child abuse, providing daily review of cases of children less than four (4) years of age under investigation by the Missouri Department of Social Services, Children's Division and to provide medical forensics training to medical providers and multi-disciplinary team members

From General Revenue Fund (0101)	250,000
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For a grant program benefitting victims of amyotrophic lateral sclerosis (ALS)

and providing respite care in the eastern half of the state

From General Revenue Fund (0101)	50,000
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For community health programs and related expenses, provided three percent

(3%) flexibility is allowed from this section to Section 10.955

From General Revenue Fund (0101)	1,863,934
From Department of Health and Senior Services Federal Fund (0143).....	17,922,122
From Title XXI-Children's Health Insurance Program Federal Fund (0159).....	2,133,153

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From Child Care and Development Block Grant Federal Fund (0168).....	394,900
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	224,981
From Missouri Public Health Services Fund (0298)	1,649,750
From Missouri Lead Abatement Loan Fund (0893).....	<u>1,000</u>
Total.....	\$26,666,379

SECTION. 10.713. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Ryan White Program, provided the eligible income requirement is at or
below three hundred percent (300%) of the Federal Poverty Level (FPL)

From General Revenue Fund (0101)	\$6,615,117
From Department of Health and Senior Services Federal Fund (0143).....	92,837,218

Personal Service

From General Revenue Fund (0101)	593,661
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Personal Service..... 372,327

Expense and Equipment..... 37,069

From Department of Health and Senior Services Federal Fund (0143).....	409,396
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Total (Not to exceed 19.39 F.T.E.)	\$100,455,392
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SECTION 10.714. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Bureau of HIV, STD, and Hepatitis to promote healthcare provider and
patient education through awareness, related to the pursuit of empowering
women and increasing their sexual health prevention and treatment

Expense and Equipment

From Budget Stabilization Fund (0522)	\$200,000
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SECTION 10.715. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For tobacco cessation services

From General Revenue Fund (0101)	\$50,000
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From Department of Health and Senior Services Federal Fund (0143).....	<u>50,000</u>
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Total.....	\$100,000
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SECTION 10.720. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For women's health initiatives, provided three percent (3%) flexibility is allowed
from this section to Section 10.955

Personal Service..... \$65,309

Expense and Equipment..... 180,000

From General Revenue Fund (0101)	245,309
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Personal Service..... 1,267,560

Expense and Equipment..... 4,461,818

From Department of Health and Senior Services Federal Fund (0143).....	5,729,378
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Expense and Equipment	
From Health Initiatives Fund (0275).....	4,916
Expense and Equipment	
From Opioid Addiction Treatment and Recovery Fund (0705)	350,000
For the Show-Me Healthy Women's program in Missouri, provided three percent (3%) flexibility is allowed from this section to Section 10.955	
Expense and Equipment	
From General Revenue Fund (0101)	500,000
From Missouri Public Health Services Fund (0298)	20,000
From Department of Health-Donated Fund (0658).....	32,548
Personal Service.....	435,970
Expense and Equipment.....	<u>1,894,132</u>
From Department of Health and Senior Services Federal Fund (0143).....	2,330,102
For contracts for the Sexual Violence Victims Services, Awareness, and Education Program	
Expense and Equipment	
From Department of Health and Senior Services Federal Fund (0143).....	1,287,134
For a statewide telehealth network for forensic examinations of victims of sexual offenses	
Personal Service.....	46,668
Expense and Equipment.....	<u>3,909,585</u>
From General Revenue Fund (0101)	<u>3,956,253</u>
Total (Not to exceed 29.72 F.T.E.)	\$14,455,640

SECTION 10.721. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Cora Faith Walker Doula Training Grant Program

From General Revenue Fund (0101) \$500,000

SECTION 10.723. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For Community Based Navigation Services for breast cancer screening and treatment provided by a statewide community based not-for-profit with experience supporting low to moderate income individuals who are either in need of preventative screening services for breast cancer detection and/or treatment for breast cancer

From General Revenue Fund (0101) \$500,000

SECTION 10.725. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For family planning and family planning-related services, pregnancy testing, sexually transmitted disease testing and treatment, including pap tests and pelvic exams, and follow-up services provided that none of the funds appropriated herein may be paid, granted to, or expended to directly or

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indirectly fund procedures or administrative functions of any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital, or for performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother, for encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother, or developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother. Such services shall be available to uninsured women who are at least eighteen (18) to fifty-five (55) years of age with a family Modified Adjusted Gross Income for the household size that does not exceed two hundred and one percent (201%) of the Federal Poverty Level (FPL) and who is a legal resident of the state

From General Revenue Fund (0101)	\$6,289,091
From Department of Health and Senior Services Federal Fund (0143).....	<u>5,282,836</u>
Total.....	\$11,571,927

SECTION 10.726. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For free health clinics located in a city with more than four hundred thousand inhabitants and located in more than one county that provide prenatal care, for the purpose of providing such care

From General Revenue Fund (0101)	\$250,000
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SECTION 10.730. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Elks Mobile Dental Clinic

Expense and Equipment

From General Revenue Fund (0101)	\$200,000
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SECTION 10.735. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For supplemental nutrition programs

Expense and Equipment

From Department of Health and Senior Services Federal Fund (0143).....	\$216,092,329
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	<u>185,000,000</u>
Total.....	\$401,092,329

SECTION 10.740. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Office of Rural Health and Primary Care

Personal Service.....	\$889,033
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Expense and Equipment.....	<u>361,637</u>
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From Department of Health and Senior Services Federal Fund (0143).....	1,250,670
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Personal Service.....	110,349
Expense and Equipment.....	14,450
From Health Initiatives Fund (0275).....	124,799
Personal Service.....	85,960
Expense and Equipment.....	8,900
From Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund (0565).....	94,860
For other Office of Rural Health and Primary Care programs and related expenses	
Expense and Equipment	
From Department of Health and Senior Services Federal Fund (0143).....	1,761,607
From Department of Health-Donated Fund (0658).....	655,000
For Office of Dental Health Fluoridation Pilot Program	
Personal Service.....	64,022
Expense and Equipment.....	760,978
From Budget Stabilization Fund (0522).....	825,000
Total (Not to exceed 15.20 F.T.E.)	\$4,711,936

SECTION 10.745. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Primary Care Resource Initiative Program (PRIMO), Financial Aid to

Medical Students, and Loan Repayment Programs

Expense and Equipment

From General Revenue Fund (0101)	\$500,000
From Department of Health and Senior Services Federal Fund (0143).....	425,000
From Health Access Incentive Fund (0276).....	650,000
From Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund (0565).....	650,000
From Department of Health - Donated Fund (0658).....	956,790
Total.....	\$3,181,790

SECTION 10.747. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For a rural primary care physician grant program, provided that qualifying primary care physicians begin practice in a Missouri county with fewer than thirty-five thousand inhabitants after July 1, 2022, further provided that prior to receipt of a grant award, qualifying primary care physicians agree to reside and practice as a primary care physician in said county for a continuous five-year period and to reimburse any grant award received for a breach of the requirements of this section

From General Revenue Fund (0101)	\$200,000
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SECTION 10.750. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Office of Minority Health

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For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....	\$219,655
Expense and Equipment.....	<u>194,540</u>
From General Revenue Fund (0101)	414,195

Personal Service	
From Department of Health and Senior Services Federal Fund (0143).....	<u>35,997</u>
Total (Not to exceed 4.48 F.T.E.).....	\$450,192

SECTION 10.755. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Office of Emergency Coordination, provided that \$1,000,000 be used to assist in maintaining the Poison Control Hotline

From General Revenue Fund (0101)	\$500,000
From Insurance Dedicated Fund (0566).....	500,000

Personal Service.....	1,973,001
Expense and Equipment and Program Distribution	<u>11,530,305</u>
From Department of Health and Senior Services Federal Fund (0143).....	13,503,306

To address coronavirus preparedness and response	
Personal Service.....	1,061,797
Expense and Equipment.....	<u>32,376,931</u>
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	33,438,728

To provide coronavirus mitigation efforts, including, but not limited to, testing, tracing, reporting, and related expenses	
Personal Service.....	9,807,021
Expense and Equipment.....	<u>328,297,578</u>
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	338,104,599

For detection and mitigation of COVID-19 in confinement facilities, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	56,461
Expense and Equipment.....	<u>8,480,059</u>
From Department of Health and Senior Services Federal Stimulus - 2021 Fund (2457).....	8,536,520

For Epidemiology Laboratory Capacity - Advanced Molecular Detection - Public Health Lab Preparedness, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Expense and Equipment	
From Department of Health and Senior Services Federal Stimulus - 2021 Fund (2457)	4,634,965

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For Public Health Workforce Development, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	216,054
Expense and Equipment.....	<u>37,983,085</u>
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	38,199,139
For the detection and mitigation of COVID-19 in homeless service sites and other congregate living facilities, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	104,111
Expense and Equipment.....	<u>1,615,681</u>
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	1,719,792
For the distribution of COVID-19 immunizations with a focus on reaching unserved, rural, and ethnic minority populations, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	90,636
Expense and Equipment.....	<u>34,376,176</u>
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	34,466,812
For the Small Rural Hospital Improvement Program, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Expense and Equipment	
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	8,681,434
For the Nursing Home and Long-Term Care Facility Strike Team Initiative, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	302,463
Expense and Equipment.....	<u>7,502,916</u>
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	7,805,379
For Strengthening Healthcare Associated Infections and Antibiotic Resistance Program Capacity, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section	
Personal Service.....	521,813
Expense and Equipment.....	<u>3,685,803</u>
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457).....	4,207,616

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For travel-related public health initiatives, provided ten (10%) percent flexibility is allowed between American Rescue Plan Act of 2021 grant programs in this section

Expense and Equipment

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457) 498,750

Total (Not to exceed 78.02 F.T.E.) \$494,797,040

SECTION 10.760. — To the Department of Health and Senior Services

For the Division of Community Health and Senior Services

To enable schools to establish COVID-19 screening testing programs to support and maintain in-person learning

Personal Service..... \$173,056

Expense and Equipment..... 184,589,767

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457) 184,762,823

For strengthening public infrastructure, workforce, and data systems

Personal Service..... 242,682

Expense and Equipment..... 45,000,000

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457) 45,242,682

Total (Not to exceed 5.00 F.T.E.)..... \$230,005,505

SECTION 10.765. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For emergency funding of an outbreak response

From Missouri Public Health Services Fund (0298) \$300,000

SECTION 10.770. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For coroner trainings provided by the Missouri Coroners' and Medical Examiners' Association

From Missouri State Coroners' Training Fund (0846) \$355,482

SECTION 10.775. — To the Department of Health and Senior Services

For the State Public Health Laboratory, including providing newborn screening

services on weekends and holidays, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service..... \$2,066,445

Expense and Equipment..... 869,925

From General Revenue Fund (0101) 2,936,370

Personal Service..... 1,262,010

Expense and Equipment..... 2,298,184

From Department of Health and Senior Services Federal Fund (0143)..... 3,560,194

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	1,911,202
Expense and Equipment.....	<u>5,916,120</u>
From Missouri Public Health Services Fund (0298)	7,827,322

Personal Service.....	114,358
Expense and Equipment.....	<u>473,641</u>
From Safe Drinking Water Fund (0679)	587,999

Expense and Equipment	
From Childhood Lead Testing Fund (0899)	<u>65,017</u>
Total (Not to exceed 105.51 F.T.E.)	\$14,976,902

SECTION 10.800. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....	\$12,017,519
Expense and Equipment.....	<u>1,108,218</u>
From General Revenue Fund (0101)	13,125,737

Personal Service.....	14,019,538
Expense and Equipment.....	<u>1,387,483</u>
From Department of Health and Senior Services Federal Fund (0143).....	15,407,021

Expense and Equipment	
From Health Initiatives Fund (0275).....	31,150

Expense and Equipment	
From Department of Health and Senior Services Federal Stimulus	
- 2021 Fund (2457)	786,098

For Medicaid Home and Community-Based Services Program reassessments, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service.....	723,223
Expense and Equipment.....	<u>973,785</u>
From General Revenue Fund (0101)	1,697,008

Personal Service.....	723,222
Expense and Equipment.....	<u>2,758,202</u>
From Department of Health and Senior Services Federal Fund (0143).....	3,481,424

Expense and Equipment	
From HCBS FMAP Enhancement Fund (2444)	<u>1,784,417</u>
Total (Not to exceed 611.69 F.T.E.)	\$36,312,855

SECTION 10.805. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For non-Medicaid reimbursable senior and disability programs, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Expense and Equipment

From General Revenue Fund (0101) \$705,065
 From Department of Health and Senior Services Federal Fund (0143)..... 267,028

Expense and Equipment

From Department of Health and Senior Services Federal Stimulus Fund (2350)..... 850,000

Personal Service..... 101,430

Expense and Equipment..... 1,443,707

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457) 1,545,137

For special health care needs programs, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Expense and Equipment

From General Revenue Fund (0101) 1,834,778

From Department of Health and Senior Services Federal Fund (0143)..... 1,337,185

From Children's Special Health Care Needs Service Fund (0950)..... 30,000

From Brain Injury Fund (0742)..... 974,900

From C & M Smith Memorial Endowment Trust Fund (0873)..... 10,000

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457) 86,400

Total..... \$7,640,493

***SECTION 10.810.** — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For providing consumer directed personal care assistance services at a rate not to exceed sixty percent (60%) of the average monthly Medicaid cost of nursing facility care, including payments to providers for value-based payment initiatives, provided ten percent (10%) flexibility is allowed between this section and Section 10.815 to allow flexibility within the Medicaid Home and Community Based Services Program

Expense and Equipment

From General Revenue Fund (0101) \$228,349,475

From Department of Health and Senior Services Federal Fund (0143)..... 457,056,106

From HCBS FMAP Enhancement Fund (2444) 14,797,932

For a pilot project for the use of in-home pharmaceutical dispensing devices and systems

From General Revenue Fund (0101) 500,000

From Department of Health and Senior Services Federal Fund (0143)..... 500,000

Total..... \$701,203,513

***I hereby veto \$1,000,000, including \$500,000 general revenue, for an in-home pharmaceutical pilot project. This item was not in my budget recommendations; however, my recommended**

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 Matter in bold-face type is proposed language.

budget did include transformational investment that began a multi-year framework for value-based payments to improve long-term outcomes for participants of the MO HealthNet program. Any future modification of an in-home pharmaceutical program should be considered as part of this incentive methodology for MO HealthNet providers to help provide the taxpayer a return when making this investment, and ensure that this item is not specifically provided toward a single vendor.

For a pilot project for the use of in-home pharmaceutical dispensing devices and systems.

By \$500,000 from \$500,000 to \$0 from General Revenue Fund.

By \$500,000 from \$500,000 to \$0 from Department of Health and Senior Services Federal Fund.

From \$701,203,513 to \$700,203,513 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 10.815. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For respite care, homemaker chore, personal care, adult day care, AIDS, children's waiver services, home-delivered meals, Programs of All Inclusive Care for the Elderly, the Structured Family Caregiver Waiver, Brain Injury Waiver, other related services, and program management under the Medicaid fee-for-service and managed care programs, including payments to providers for value-based payment initiatives. Provided that individuals eligible for or receiving nursing home care must be given the opportunity to have those Medicaid dollars follow them to the community to the extent necessary to meet their unmet needs as determined by 19 CSR 30 81.030 and further be allowed to choose the personal care program option in the community that best meets the individuals' unmet needs, provided ten percent (10%) flexibility is allowed between this section and Section 10.810 to allow flexibility within the Medicaid Home and Community Based Services Program, and further provided that individuals eligible for the Medicaid Personal Care Option must be allowed to choose, from among all the program options, that option which best meets their unmet needs as determined by 19 CSR 30 81.030; and also be allowed to have their Medicaid funds follow them to the extent necessary to meet their unmet needs whichever option they choose. This language does not create any entitlements not established by statute

Expense and Equipment

From General Revenue Fund (0101)	\$224,918,396
From Department of Health and Senior Services Federal Fund (0143).....	455,366,484
From HCBS FMAP Enhancement Fund (2444)	19,604,343
Total.....	\$699,889,223

SECTION 10.820. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For home and community based services enhancements

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Department of Health and Senior Services Federal Fund (0143).....	\$828,341
From HCBS FMAP Enhancement Fund (2444)	<u>569,747</u>
Total.....	\$1,398,088

SECTION 10.825. — To the Department of Health and Senior Services

Funds are to be transferred out of the State Treasury, chargeable to the Budget Stabilization Fund, to the Senior Services Growth and Development Program Fund

From Budget Stabilization Fund (0522)	\$2,500,000
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SECTION 10.830. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For Home and Community Services grants to be distributed to the Area Agency on Aging, provided ten percent (10%) flexibility is allowed between these services and meal services, and further provided three percent (3%) flexibility is allowed from this section to Section 10.955

From General Revenue Fund (0101)	\$2,074,704
From Department of Health and Senior Services Federal Fund (0143).....	27,544,641
From Department of Health and Senior Services Federal Stimulus - 2021 Fund (2457)	26,234,737
From Senior Services Growth and Development Program Fund (0419).....	1

For statewide implementation of the Give 5 program in partnership with the Missouri Association of Area Agencies on Aging

From Budget Stabilization Fund (0522)	500,000
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For expansion of Area Agency on Aging meal production capacity and infrastructure

From Budget Stabilization Fund (0522)	15,100,000
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For the Division of Senior and Disability Services

For meals to be distributed to each Area Agency on Aging, provided that at least \$500,000 of general revenue be used for non-Medicaid meals to be distributed to each Area Agency on Aging in proportion to the actual number of meals served during the preceding fiscal year, provided ten percent (10%) flexibility is allowed between these services and grant services, and further provided three percent (3%) flexibility is allowed from this section to Section 10.955

Expense and Equipment

From General Revenue Fund (0101)	9,731,016
From Department of Health and Senior Services Federal Fund (0143).....	6,955,359
From Elderly Home-Delivered Meals Trust Fund (0296)	62,958
From Budget Stabilization Fund (0522)	3,000,000

For the Ombudsman Program operated by the Area Agencies on Aging or their service providers

Expense and Equipment

From General Revenue Fund (0101)	150,000
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From Department of Health and Senior Services Federal Stimulus Fund (2350).....	13,000
From Department of Health and Senior Services Federal Stimulus - 2021 Fund (2457).....	187,480
Total.....	\$91,553,896

***SECTION 10.831.** — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For projects and upgrades for centers that support the senior community located in any county with more than forty thousand but fewer than fifty thousand inhabitants and with a county seat with more than eighteen thousand but fewer than twenty-one thousand inhabitants, and in any county with more than fifty thousand but fewer than sixty thousand inhabitants and with a county seat with more than four thousand but fewer than seven thousand inhabitants

From Senior Services Growth and Development Program Fund (0419).....	\$430,000
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*I hereby veto \$430,000 Senior Services Growth and Development Program Fund, for projects and upgrades for senior centers. This is not an eligible distribution of the Senior Services Growth and Development Program Fund. Under Subsection 4 of Section 192.385, RSMo, funds are required to be disbursed to all Area Agencies on Aging in accordance with the intrastate funding formula. This item earmarks funds for three specific projects, which currently receive funding through the intrastate funding distribution totaling \$337,022 (\$47,720 for the Dixon Senior Center, \$205,792 for Phelps Connections for Seniors, and \$83,510 for the Waynesville/St. Robert Senior Center).

Said section is vetoed in its entirety from \$430,000 to \$0 from Senior Services Growth and Development Program Fund.

From \$430,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 10.835. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For Alzheimer's program grants to be used by organizations serving individuals with Alzheimer's disease and their caregivers as well as providing statewide respite assistance and support programs to Missouri families to ease burden, enhance quality of life, and reduce the number of persons with Alzheimer's disease who are prematurely or unnecessarily institutionalized, provided three percent (3%) flexibility is allowed from this section to Section 10.955

From General Revenue Fund (0101).....	\$450,000
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For caregiver training programs which include in-home visits that delay the institutionalization of persons with dementia

From General Revenue Fund (0101)	100,000
Total.....	\$550,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.840. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For senior independent living programs that support seniors aging in place in communities with a high concentration of older adults, provided three percent (3%) flexibility is allowed from this section to Section 10.955

From General Revenue Fund (0101) \$400,000

SECTION 10.845. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For providing naturalization assistance to refugees and/or legal immigrants who: have resided in Missouri more than five years, are unable to benefit or attend classroom instruction, and who require special assistance to successfully attain the requirements to become a citizen. Services may include direct tutoring, assistance with identifying and completing appropriate waiver requests to the Immigration and Customs Enforcement agency, and facilitating proper documentation. The department shall award a contract under this section to a qualified not-for-profit organization which can demonstrate its ability to work with this population. A report shall be compiled for the General Assembly evaluating the program's effectiveness in helping senior refugees and immigrants in establishing citizenship and their ability to qualify individuals for Medicare

From General Revenue Fund (0101) \$200,000

SECTION 10.900. — To the Department of Health and Senior Services

For the Division of Regulation and Licensure

For program operations and support, provided three percent (3%) flexibility is allowed from this section to Section 10.955

Personal Service..... \$7,722,128

Expense and Equipment..... 820,809

From General Revenue Fund (0101) 8,542,937

Personal Service..... 12,199,343

Expense and Equipment..... 1,842,783

From Department of Health and Senior Services Federal Fund (0143)..... 14,042,126

Personal Service..... 753,278

Expense and Equipment..... 300,000

From Department of Health and Senior Services Federal Stimulus Fund (2350)..... 1,053,278

Personal Service..... 1,013,243

Expense and Equipment..... 272,832

From Nursing Facility Quality of Care Fund (0271) 1,286,075

Personal Service..... 73,854

Expense and Equipment..... 13,110

From Mammography Fund (0293) 86,964

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Matter in bold-face type is proposed language.

For nursing home quality initiatives	
Expense and Equipment	
From Nursing Facility Reimbursement Allowance Fund (0196).....	725,000
For the Time Critical Diagnosis Unit	
Personal Service.....	293,271
Expense and Equipment.....	<u>102,598</u>
From General Revenue Fund (0101)	395,869
For the Bureau of Narcotics and Dangerous Drugs operations and support	
Personal Service.....	269,526
Expense and Equipment.....	<u>4,620</u>
From General Revenue Fund (0101)	274,146
Personal Service.....	86,053
Expense and Equipment.....	<u>10,970</u>
From Health Access Incentive Fund (0276).....	97,023
For the Bureau of Narcotics and Dangerous Drugs for a Physician Prescription	
Monitoring Program	
Personal Service.....	245,127
Expense and Equipment.....	<u>134,257</u>
From General Revenue Fund (0101)	379,384
For medical marijuana program operations and support, provided ten percent	
(10%) flexibility is allowed between personal service and expense and	
equipment	
Personal Service.....	4,416,141
Expense and Equipment.....	<u>9,401,025</u>
From Missouri Veterans' Health and Care Fund (0606)	13,817,166
For the Medical Marijuana Opportunities program to provide support to	
facilitate the inclusion of individuals in Missouri's medical marijuana	
industry who have been negatively and disproportionately impacted by	
marijuana criminalization and poverty	
Expense and Equipment	
From Missouri Veterans' Health and Care Fund (0606)	200,000
For expending Civil Monetary Penalty funding on federally approved nursing	
facility activities and projects	
Expense and Equipment	
From Nursing Facility Quality Care Fund (0271)	1,800,000
For statewide distribution of opioid antagonists approved by the Food and Drug	
Administration	
From Opioid Addiction Treatment and Recovery Fund (0705)	<u>800,000</u>
Total (Not to exceed 441.02 F.T.E.)	\$43,499,968

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 10.905. — To the Department of Health and Senior Services

Funds are to be transferred out of the State Treasury, for health and care services for military veterans as provided by Article XIV, Section 1 of the Missouri Constitution, to the Missouri Veterans' Homes Fund

From Missouri Veterans' Health and Care Fund (0606)\$13,000,000

SECTION 10.955. — To the Department of Health and Senior Services

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)\$1

Section 10.956. To the Department of Health and Senior Services

For medical and health related services performed by any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital

From General Revenue Fund (0101)\$0

From Federal and Other Funds (Various)..... 0

Total.....\$0

PART 2**SECTION 10.1000.** — To the Department of Mental Health

In reference to Sections 10.105, 10.110, 10.115, 10.120, 10.210, 10.215, 10.230 and 10.235 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2022, with the exception of the following: revenue maximization initiatives; increases in the contracted base rate for supported community living provided by Residential Care Facilities and Intermediate Care Facilities resulting from a Cost-of-Living Adjustment to Supplemental Security Income benefits; Certified Community Behavioral Health Clinics, for whom no funds shall be expended in furtherance of actuarial rates greater than those approved by the Department of Mental Health, with the exception of revenue maximization initiatives; Value Based Payments for Certified Community Behavioral Health Clinics; cost-based and actuarially sound rate changes for Comprehensive Substance Treatment and Rehabilitation (CSTAR) programs; a 5.5% rate increase for Comprehensive Substance Treatment and Rehabilitation (CSTAR) and Adult Community Program providers, excluding providers designated as Certified Community Behavioral Health Clinics; and providers of children's residential treatment services, in which the rates for level 4 residential treatment services shall be consistent with the children's division.

SECTION 10.1005. — To the Department of Mental Health

In reference to Section 10.410 in Part 1 of this act:

No funds shall be expended in furtherance of provider rates for the service categories of residential, non-residential and other Home and Community-Based Services greater than the projected 2024 upper bound rates developed by the Department of Mental Health in conjunction with Mercer, with the exception of Value Based Payments and provider rates above the projected 2024 upper bound rates developed by the Department of Mental Health in conjunction with Mercer as of January 1, 2022, which shall be held harmless.

SECTION 10.1010. — To the Department of Health and Senior Services

In reference to Sections 10.810 and 10.815 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the projected 2024 upper bound rates developed by the Department of Mental Health in conjunction with Mercer or greater than rates projected in the November 2021 update to the Department of Health and Senior Services Mercer Rate Study dated January 2, 2020, with the exception of Value Based Payments and provider rates above the projected 2024 upper bound rates developed by the Department of Mental Health in conjunction with Mercer or provider rates above the projected rates in the November 2021 update to the Department of Health and Senior Services Mercer Rate Study dated January 2, 2020, as of January 1, 2022, which shall be held harmless.

SECTION 10.1015. — To the Department of Mental Health and the Department of Health and Senior Services

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 10.1100.** — To the Department of Mental Health and the Department of Health and Senior Services**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
10.005	5	\$2,500	0
10.025	7	\$130,000	0
10.210	13	\$13,785,309	0
10.215	11	\$6,680,493	0
10.240	12	\$1,000,000	0
10.241	13	\$5,000,000	0

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10.300	14	\$498,255	0
10.310	11	\$106,157	0
10.410	14	\$3,415,941	0
10.605	6	\$200	0
10.605	10	\$2,200	0
10.605	19	\$100	0
10.700	23	\$8,474	0
10.720	32	\$1,750,000	0
10.800	20	\$40,618	0
10.800	23	\$40,617	0
10.805	8	\$100,000	0
10.810	12	\$1,305,685	0
10.810	13	\$1,305,685	0
10.815	27	\$1,025,895	0
10.815	28	\$1,025,895	0
10.830	15	\$500,000	0
10.830	18	\$15,100,000	0
10.830	32	\$3,000,000	0
10.831	10	\$430,000	0
10.900	26	\$1,627	0

SECTION 10.1110. — To the Department of Mental Health and the Department of Health and Senior Services

In reference to all sections, except Section 10.576 and Section 10.956, in Part 1 and Part 2 of this act:

No funds shall be expended to any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital.

Department of Mental Health Totals

General Revenue Fund.....	\$1,128,699,763
Federal Funds.....	2,238,956,553
Other Funds.....	<u>56,123,277</u>
Total.....	\$3,423,779,593

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Department of Health and Senior Services Totals

General Revenue Fund.....	\$530,107,522
Federal Funds.....	2,373,682,956
Other Funds.....	42,631,189
Total.....	\$2,946,421,667

Approved June 30, 2022

CCS SS SCS HCS HB 3011

**Appropriates money for the expenses, grants, refunds, and distributions of the
Department of Social Services**

AN ACT to appropriate money for the expenses, grants, refunds, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022, and ending June 30, 2023 as follows:

PART 1

SECTION 11.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act shall consist of guidance to the Department of Social Services in implementing the appropriations found in Part 1 and Part 2 of this act and contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any

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Matter in bold-face type is proposed language.

ongoing core appropriation(s) in future fiscal periods beyond June 30, 2023.
The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 11.005. — To the Department of Social Services

For the Office of the Director

For the Director's Office, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$113,853
Annual salary adjustment in accordance with Section 105.005, RSMo.....	5,994
Expense and Equipment.....	<u>33,562</u>
From General Revenue Fund (0101)	153,409

Personal Service	
From Child Care and Development Block Grant Federal Fund (0168).....	367

Personal Service.....	158,646
Annual salary adjustment in accordance with Section 105.005, RSMo.....	1,639
Expense and Equipment.....	<u>1,197</u>
From Department of Social Services Federal Fund (0610).....	161,482

Personal Service.....	32,179
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>655</u>
From Child Support Enforcement Fund (0169).....	<u>32,834</u>
Total (Not to exceed 2.93 F.T.E.)	\$348,092

SECTION 11.010. — To the Department of Social Services

For the Office of the Director

For the Director's Office, Children's Division Residential Program Unit

For administrative expenses

Personal Service.....	\$1,047,107
Expense and Equipment.....	<u>241,437</u>
From General Revenue Fund (0101)	1,288,544

Personal Service.....	426,452
Expense and Equipment.....	<u>15,519</u>
From Department of Social Services Federal Fund (0610).....	<u>441,971</u>
Total (Not to exceed 31.00 F.T.E.)	\$1,730,515

SECTION 11.015. — To the Department of Social Services

For the Office of the Director

For receiving and expending grants, donations, contracts, and payments from private, federal, and other governmental agencies which may become available between sessions of the General Assembly provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they shall be expended, in writing, prior to the use of said funds

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From Department of Social Services Federal Fund (0610).....	\$2,000,000
From Family Services Donations Fund (0167).....	<u>33,999</u>
Total.....	\$2,033,999

SECTION 11.020. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the OA Information
Technology Federal Fund

From Child Care and Development Block Grant Federal Fund (0168).....	\$1,616,328
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SECTION 11.025. — To the Department of Social Services

For the Office of the Director

For the Human Resources Center, provided three percent (3%) flexibility is
allowed from this section to Section 11.950

Personal Service.....	\$303,246
Expense and Equipment.....	<u>11,052</u>
From General Revenue Fund (0101)	314,298

Personal Service

From Child Care and Development Block Grant Federal Fund (0168).....	902
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Personal Service

From Temporary Assistance for Needy Families Federal Fund (0199).....	23,710
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Personal Service..... 200,544

Expense and Equipment..... 29,805

From Department of Social Services Federal Fund (0610).....	<u>230,349</u>
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Total (Not to exceed 10.52 F.T.E.)	\$569,259
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SECTION 11.030. — To the Department of Social Services

For the Office of the Director

For the State Technical Assistance Team (STAT)

For the prevention and investigation of child abuse, child neglect, child sexual
abuse, child exploitation/pornography or child fatality cases, as described in
Sections 660.520 to 660.528, RSMo, and for administrative expenses,
provided five percent (5%) flexibility is allowed between personal service
and expense and equipment; and further provided three percent (3%)
flexibility is allowed from this section to Section 11.950

Personal Service..... \$1,437,231

Expense and Equipment..... 311,000

From General Revenue Fund (0101) (Not to exceed 27.50 F.T.E.)	\$1,748,231
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SECTION 11.035. — To the Department of Social Services

For the Office of the Director

For the Missouri Medicaid Audit and Compliance Unit, provided five percent
(5%) flexibility is allowed between personal service and expense and
equipment, and further provided three percent (3%) flexibility is allowed
from this section to Section 11.950

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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Personal Service.....	\$1,519,835
Expense and Equipment.....	<u>335,610</u>
From General Revenue Fund (0101)	1,855,445
Personal Service.....	1,851,043
Expense and Equipment.....	<u>864,134</u>
From Department of Social Services Federal Fund (0610).....	2,715,177
Expense and Equipment	
From Recovery Audit and Compliance Fund (0974).....	82,087
Personal Service.....	224,671
Expense and Equipment.....	<u>141,946</u>
From Medicaid Provider Enrollment Fund (0990).....	366,617
Personal Service.....	12,495
Expense and Equipment.....	<u>4,095</u>
From FMAP Enhancement - Expansion Fund (2466)	16,590
Total (Not to exceed 81.05 F.T.E.)	\$5,035,916

SECTION 11.040. — To the Department of Social Services

For the Office of the Director

For the Missouri Medicaid Audit and Compliance Unit

For a case management, provider enrollment, and fraud abuse and detection
system, provided three percent (3%) flexibility is allowed from this section
to Section 11.950

Expense and Equipment	
From General Revenue Fund (0101)	\$1,117,552
From Department of Social Services Federal Fund (0610).....	<u>5,882,448</u>
Total.....	\$7,000,000

SECTION 11.045. — To the Department of Social Services

For the Office of the Director

For the Missouri Medicaid Audit and Compliance Unit

For recovery audit services

Expense and Equipment	
From Recovery Audit and Compliance Fund (0974).....	\$1,200,000

SECTION 11.050. — To the Department of Social Services

For the Division of Finance and Administrative Services, provided three percent
(3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$2,152,930
Expense and Equipment.....	<u>384,244</u>
From General Revenue Fund (0101)	2,537,174

Personal Service.....	13,981
Expense and Equipment.....	<u>556</u>
From Child Care and Development Block Grant Federal Fund (0168).....	14,537

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Personal Service.....	1,284,748
Expense and Equipment.....	<u>238,994</u>
From Department of Social Services Federal Fund (0610).....	1,523,742
Personal Service.....	4,677
Expense and Equipment.....	<u>317</u>
From Department of Social Services Administrative Trust Fund (0545)	4,994
Personal Service.....	54,667
Expense and Equipment.....	<u>950</u>
From Child Support Enforcement Fund (0169).....	55,617
For the centralized inventory system, for reimbursable goods and services provided by the department, and for related equipment replacement and maintenance expenses	
From Department of Social Services Administrative Trust Fund (0545)	<u>1,200,000</u>
Total (Not to exceed 55.20 F.T.E.)	\$5,336,064

SECTION 11.052. — To the Department of Social Services

For the Division of Finance and Administrative Services

For the Child Welfare Eligibility Unit

For administrative expenses, provided five percent (5%) flexibility is allowed
between personal service and expense and equipment

Personal Service.....	\$725,799
Expense and Equipment.....	<u>21,287</u>
From General Revenue Fund (0101)	747,086

Personal Service.....	626,888
Expense and Equipment.....	<u>18,964</u>
From Department of Social Services Federal Fund (0610).....	<u>645,852</u>
Total (Not to exceed 35.00 F.T.E.)	\$1,392,938

SECTION 11.055. — To the Department of Social Services

For the Division of Finance and Administrative Services

For the payment of fees to contractors who engage in revenue maximization
projects on behalf of the Department of Social Services and the General
Assembly

From Department of Social Services Federal Fund (0610).....	\$2,750,000
From Temporary Assistance for Needy Families Federal Fund (0199).....	<u>250,000</u>
Total.....	\$3,000,000

SECTION 11.060. — To the Department of Social Services

For the Division of Finance and Administrative Services

For the receipt and disbursement of refunds and incorrectly deposited receipts to
allow the over-collection of accounts receivables to be paid back to the
recipient, provided twenty-five percent (25%) flexibility is allowed between
federal and other funds within this section

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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From Victims of Crime Act Federal Fund (0146)	\$300,000
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	1,500,000
From Title XIX - Federal Fund (0163)	10,250,000
From Child Care and Development Block Grant Federal Fund (0168)	25,000
From Federal and Other Fund (0189)	1,500,000
From Temporary Assistance for Needy Families Federal Fund (0199)	27,000
From Title XIX - Adult Expansion Federal Fund (0358)	450,000
From Department of Social Services Federal Fund (0610)	5,000,000
From Pharmacy Rebates Fund (0114)	25,000
From Third Party Liability Collections Fund (0120)	369,000
From Medicaid Stabilization Fund (0809)	450,000
From Premium Fund (0885)	5,500,000
From Department of Social Services Federal Stimulus Fund (2355)	450,000
From Department of Social Services Federal Stimulus - 2021 Fund (2456)	900,000
From FMAP Enhancement - Expansion Fund (2466)	450,000
Total	<u>\$27,196,000</u>

SECTION 11.065. — To the Department of Social Services

For the Division of Finance and Administrative Services

For payments to counties and the City of St. Louis toward the care and maintenance of each delinquent or dependent child as provided in Section 211.156, RSMo, provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101) \$1,171,980

SECTION 11.070. — To the Department of Social Services

For the Division of Legal Services, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service..... \$1,812,997

Expense and Equipment..... 109,335

From General Revenue Fund (0101) 1,922,332

Personal Service

From Child Care and Development Block Grant Federal Fund (0168)..... 52,750

Personal Service..... 630,966

Expense and Equipment..... 230,424

From Temporary Assistance for Needy Families Federal Fund (0199)..... 861,390

Personal Service..... 1,951,639

Expense and Equipment..... 166,135

From Department of Social Services Federal Fund (0610)..... 2,117,774

Personal Service..... 607,397

Expense and Equipment..... 91,057

From Third Party Liability Collections Fund (0120)..... 698,454

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Personal Service	
From Child Support Enforcement Fund (0169).....	157,883
Total (Not to exceed 103.42 F.T.E.)	\$5,810,583

SECTION 11.075. — To the Department of Social Services

For the Division of Legal Services

For permanency attorneys and permanency attorney contracted services, including reunification, guardianship, adoption, or termination of parental rights, for children in the care, custody, or involved with the Children's Division, provided twenty five percent (25%) flexibility is allowed from expense and equipment to personal service, and further provided fifty percent (50%) flexibility is allowed from personal service to expense and equipment

Personal Service.....	\$927,091
Expense and Equipment.....	2,080,595
From General Revenue Fund (0101)	3,007,686

Personal Service	
From Temporary Assistance for Needy Families Federal Fund (0199).....	217,504

Personal Service.....	969,189
Expense and Equipment.....	1,624,456
From Department of Social Services Federal Fund (0610).....	2,593,645

Expense and Equipment	
From Department of Social Services Federal Stimulus Fund (2355).....	1,641,214

Personal Service	
From Third Party Liability Collections Fund (0120).....	57,865

Personal Service	
From Child Support Enforcement Fund (0169).....	12,410

For Title IV-E reimbursements to counties and the City of St. Louis for the legal representation of parents and children in juvenile or family courts	
From Department of Social Services Federal Fund (0610).....	500,000

For non-recurring adoption or legal guardianship expenses related to permanency, including but not limited to: reasonable and necessary adoption fees, court costs, attorney fees and other expenses which are directly related to the legal adoption or legal guardianship	
From General Revenue Fund (0101)	2,019,345
From Temporary Assistance for Needy Families Federal Fund (0199).....	408,177
From Department of Social Services Federal Fund (0610).....	826,778

For a pilot program to provide legal representation for parents of children who are in court as a result of alleged child abuse or neglect

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From Department of Social Services Federal Fund (0610).....	<u>150,000</u>
Total (Not to exceed 34.00 F.T.E.)	\$11,434,624

SECTION 11.100. — To the Department of Social Services

For the Family Support Division, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$1,805,685
Expense and Equipment.....	<u>24,911</u>
From General Revenue Fund (0101)	1,830,596
Personal Service.....	447,523
Expense and Equipment.....	<u>25,000</u>
From Child Care and Development Block Grant Federal Fund (0168).....	472,523
Personal Service.....	966,843
Expense and Equipment.....	<u>3,031,318</u>
From Temporary Assistance for Needy Families Federal Fund (0199).....	3,998,161
Personal Service.....	4,531,363
Expense and Equipment.....	<u>6,128,081</u>
From Department of Social Services Federal Fund (0610).....	10,659,444
Personal Service	
From Child Support Enforcement Fund (0169).....	<u>573,655</u>
Total (Not to exceed 161.90 F.T.E.)	\$17,534,379

SECTION 11.105. — To the Department of Social Services

For the Family Support Division

For the income maintenance field staff and operations, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$30,039,971
Expense and Equipment.....	<u>6,335,086</u>
From General Revenue Fund (0101)	36,375,057
Personal Service.....	3,621,923
Expense and Equipment.....	<u>525,000</u>
From Child Care and Development Block Grant Federal Fund (0168).....	4,146,923
Personal Service.....	1,092,847
Expense and Equipment.....	<u>340,117</u>
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,432,964
Personal Service.....	45,656,388
Expense and Equipment.....	<u>21,911,820</u>
From Department of Social Services Federal Fund (0610).....	67,568,208
Personal Service.....	1,021,961
Expense and Equipment.....	<u>4,418,720</u>
From FMAP Enhancement - Expansion Fund (2466)	5,440,681

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	930,251
Expense and Equipment.....	<u>27,917</u>
From Health Initiatives Fund (0275).....	958,168
For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends Expense and Equipment	
From General Revenue Fund (0101)	2,781,669
From Department of Social Services Federal Fund (0610).....	8,345,008
Expense and Equipment	
From Department of Social Services Federal Stimulus - 2021 Fund (2456).....	<u>6,249,049</u>
Total (Not to exceed 2,103.24 F.T.E.)	\$133,297,727

SECTION 11.108. — To the Department of Social Services

For the Family Support Division

For public acute care hospital partnerships to assist with eligibility
determinations for Medicaid and CHIP

From General Revenue Fund (0101)	\$1,000,000
From Department of Social Services Federal Fund (0610).....	<u>1,000,000</u>
Total.....	\$2,000,000

SECTION 11.110. — To the Department of Social Services

For the Family Support Division

For income maintenance and child support staff training, provided three percent
(3%) flexibility is allowed from this section to Section 11.950

Expense and Equipment	
From General Revenue Fund (0101)	\$103,209
From Child Care and Development Block Grant Federal Fund (0168).....	20,000
From Department of Social Services Federal Fund (0610).....	<u>109,617</u>
Total.....	\$232,826

SECTION 11.115. — To the Department of Social Services

For the Family Support Division

For the electronic benefit transfers (EBT) system

Expense and Equipment	
From General Revenue Fund (0101)	\$1,696,622
From Temporary Assistance for Needy Families Federal Fund (0199).....	100,000
From Department of Social Services Federal Stimulus Fund (2355).....	3,513,136
From Department of Social Services Federal Fund (0610).....	<u>1,399,859</u>
Total.....	\$6,709,617

SECTION 11.120. — To the Department of Social Services

For the Family Support Division

For the receipt of funds from the Polk County and Bolivar Charitable Trust for
the exclusive benefit and use of the Polk County Office

From Family Services Donations Fund (0167).....	\$10,000
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Matter in bold-face type is proposed language.

SECTION 11.125. — To the Department of Social Services

For the Family Support Division

For contractor, hardware, and other costs associated with planning, development, and implementation of a Family Assistance Management Information System (FAMIS), provided three percent (3%) flexibility is allowed from this section to Section 11.950

Expense and Equipment

From General Revenue Fund (0101)	\$517,908
From Child Care and Development Block Grant Federal Fund (0168).....	25,000
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,084,032
From Department of Social Services Federal Fund (0610).....	48,422

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment

From General Revenue Fund (0101)	7,421
From Department of Social Services Federal Fund (0610).....	12,369
Total.....	\$1,695,152

SECTION 11.130. — To the Department of Social Services

For the Family Support Division

For the Missouri Eligibility Determination and Enrollment System (MEDES), provided three percent (3%) flexibility is allowed from this section to Section 11.950

For the design, development, implementation, maintenance and operation costs for the Medicaid and Children's Health Insurance Program (CHIP) eligibility categories under the Modified Adjusted Gross Income (MAGI) based methodology

Expense and Equipment

From General Revenue Fund (0101)	\$2,537,271
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,300,000
From Department of Social Services Federal Fund (0610).....	28,710,128
From Health Initiatives Fund (0275).....	1,000,000
From FMAP Enhancement - Expansion Fund (2466)	500,000

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment

From General Revenue Fund (0101)	47,869
From Department of Social Services Federal Fund (0610).....	143,606

For the design, development, and implementation costs for Supplemental Nutrition Assistance Program (SNAP) eligibility

Expense and Equipment

From General Revenue Fund (0101)	2,688,120
From Temporary Assistance for Needy Families Federal Fund (0199).....	5,384,136
From Department of Social Services Federal Fund (0610).....	13,844,516

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For the design, development, and implementation costs for Temporary Assistance (TA) eligibility Expense and Equipment	
From Temporary Assistance for Needy Families Federal Fund (0199).....	200,000
For the design, development, and implementation costs for Child Care Subsidy eligibility Expense and Equipment	
From Child Care and Development Block Grant Federal Fund (0168).....	200,000
For the expenses for the independent verification and validation (IV&V) services Expense and Equipment	
From General Revenue Fund (0101)	352,983
From Department of Social Services Federal Fund (0610).....	970,537
For the expenses related to the enterprise content management (ECM) system Expense and Equipment	
From General Revenue Fund (0101)	453,867
From Department of Social Services Federal Fund (0610).....	2,239,810
For the expenses related to the project management office (PMO) Expense and Equipment	
From General Revenue Fund (0101)	713,897
From Department of Social Services Federal Fund (0610).....	<u>1,962,583</u>
Total.....	\$63,249,323

SECTION 11.135. — To the Department of Social Services

For the Family Support Division

For the third party eligibility verification services to utilize public records as well as other established, credible data sources to evaluate income, resources, and assets of each applicant on no less than a quarterly basis; the contractor shall also, on a monthly basis, identify participants of covered programs who have died, moved out of state, or been incarcerated longer than 90 days Expense and Equipment	
From General Revenue Fund (0101)	\$2,407,190
From Child Care and Development Block Grant Federal Fund (0168).....	37,190
From Temporary Assistance for Needy Families Federal Fund (0199).....	90,000
From Department of Social Services Federal Fund (0610).....	7,729,963
From FMAP Enhancement - Expansion Fund (2466)	654,781

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends Expense and Equipment	
From General Revenue Fund (0101)	1,547,676
From Department of Social Services Federal Fund (0610).....	3,724,409
From Temporary Assistance for Needy Families Federal Fund (0199).....	73,725

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From Child Care and Development Block Grant Federal Fund (0168).....	73,728
Total.....	\$16,338,662

SECTION 11.140. — To the Department of Social Services

For the Family Support Division

For grants and contracts to Community Partnerships and other community initiatives and related expenses, provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$632,328
From Temporary Assistance for Needy Families Federal Fund (0199).....	7,525,492
From Department of Social Services Federal Fund (0610).....	78,307

For the Missouri Mentoring Partnership

From Temporary Assistance for Needy Families Federal Fund (0199).....	508,700
From Department of Social Services Federal Fund (0610).....	935,000

For a program for adolescents with the goal of preventing teen pregnancies

From Temporary Assistance for Needy Families Federal Fund (0199).....	600,000
Total.....	\$10,279,827

SECTION 11.142. — To the Department of Social Services

For the Family Support Division

For funding a multi-model, on-demand, micro-transit provision and/or coordination in rural and suburban markets to enhance access to health services (including, without limitation, mental, physical, dental health services and pharmaceutical services); workforce development training, to include educational opportunities, apprenticeship programs, internships and other related workforce programs and for mobility coordination, primarily for individuals in areas of the state under-served by existing public transit services and routes

From Budget Stabilization Fund (0522)	\$850,000
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SECTION 11.145. — To the Department of Social Services

For the Family Support Division

For the Food Nutrition Program

From Department of Social Services Federal Fund (0610).....	\$14,343,755
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SECTION 11.150. — To the Department of Social Services

For the Family Support Division

For the Missouri Work Assistance Program Unit

For the Healthcare Industry Training and Education (HITE) Program under the provisions of the Health Profession Opportunity Grant (HPOG)

From Department of Social Services Federal Fund (0610).....	\$3,000,000
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For the Missouri SkillUp Program

From Temporary Assistance for Needy Families Federal Fund (0199).....	6,719,104
From Department of Social Services Federal Fund (0610).....	4,672,471

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For the attendance of Supplemental Nutrition Assistance Program recipients at adult high schools as designated by the Department of Elementary and Secondary Education	
From Department of Social Services Federal Fund (0610).....	3,150,000
For the attendance of low-income individuals at adult high schools as designated by the Department of Elementary and Secondary Education	
From General Revenue Fund (0101)	2,000,000
From Temporary Assistance for Needy Families Federal Fund (0199).....	4,900,000
For the purpose of funding a satellite location for each of the four Excel Adult High Schools through the program as awarded by the Department of Elementary and Secondary Education	
From Budget Stabilization Fund (0522)	2,000,000
For the Summer Jobs Program	
From Temporary Assistance for Needy Families Federal Fund (0199).....	850,000
For Jobs for America's Graduates	
From Temporary Assistance for Needy Families Federal Fund (0199).....	3,250,000
For work assistance programs	
From General Revenue Fund (0101)	1,855,554
From Temporary Assistance for Needy Families Federal Fund (0199).....	12,867,755
For the purpose of funding a program in a city not within a county to foster healthy relationships by strengthening families and reducing the rates of absentee fathers through employment placement, job readiness, and employer retention skills	
From Temporary Assistance for Needy Families Federal Fund (0199).....	900,000
For the Foster Care Jobs Program	
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,000,000
For an alternative education program, located in a city not within a county, for young people who have a high school diploma or GED, targeting out-of-school youth and other at-risk populations ages 17-24, that focuses on leadership, development, financial literacy, and academic enhancement, technical skills training in construction, community service, and support from staff and students committed to each other's success	
From Temporary Assistance for Needy Families Federal Fund (0199).....	300,000
For a nonprofit organization, located in any city with more than four hundred thousand inhabitants and located in more than one county, for an alternative education program that serves young people who have a high school diploma or GED, targeting out-of-school youth and other at-risk populations ages 17-24, that focuses on leadership development, financial literacy, and	

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academic enhancement, technical skills training in construction, community service, and support from staff and students committed to each other's success	
From Temporary Assistance for Needy Families Federal Fund (0199).....	100,000
For a program located in a city not within a county that assists participants in obtaining post secondary education and job training and teaching the imperative career-skill and work ethic necessary to become successful employees and that serves economically disadvantaged African American males to find jobs and have the opportunity to earn livable wages	
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,000,000
For an organization that provides information technology training and skill building programs for low-income or economically challenged individuals and minority populations located in a city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants	
From Temporary Assistance for Needy Families Federal Fund (0199).....	450,000
For the purpose of funding a program located in a city not within a county that assists individuals with limited opportunities to self-sufficiency by breaking down barriers to self-sufficiency, creating a safer and more inclusive community	
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,000,000
For a program located in a city not within a county that fosters inclusion of minority and women-owned businesses on construction projects	
From Temporary Assistance for Needy Families Federal Fund (0199).....	500,000
For a nonprofit, faith-based organization located in any city with more than four hundred thousand inhabitants and located in more than one county which solely focuses on young African American males, ages 8 to 18 through four areas: socially, academically, emotionally, and spiritually in preparing program participants for employment, civic service, and high school completions and higher education	
From Temporary Assistance for Needy Families Federal Fund (0199).....	100,000
For the purpose of funding a program located in any city with more than four hundred thousand inhabitants and located in more than one county that assists participants in obtaining post-secondary education and job training and teaching the imperative career-skill and work ethics necessary to become successful employees and serves economically disadvantage African American males to find jobs and have the opportunity to earn livable wages	
From Temporary Assistance for Needy Families Federal Fund (0199).....	50,000
For an organization located in a city not within a county, whose mission is to empower individuals for social and economic growth through relationship	

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and opportunity by facilitating supplemental education programs, job development and training, and community service programs for under-resourced individuals

From Temporary Assistance for Needy Families Federal Fund (0199)..... 500,000

For a program in any home rule city with more than four hundred thousand inhabitants and located in more than one county to teach parenting curriculum and other skills to men, along with assisting them in finding employment, health care, dealing with civil and criminal charges and cases, and other social services thus allowing them to develop healthy and supportive relationships with their kids and families

From Temporary Assistance for Needy Families Federal Fund (0199)..... 100,000

Total..... \$51,264,884

SECTION 11.155. — To the Department of Social Services

For the Family Support Division, provided three percent (3%) flexibility is allowed from this section to Section 11.950

For the Temporary Assistance for Needy Families (TANF) benefits and Temporary Assistance (TA) Diversion transitional benefits

From General Revenue Fund (0101) \$3,856,800

From Temporary Assistance for Needy Families Federal Fund (0199)..... 20,000,000

For support to Food Banks' effort to provide services and food to low-income individuals

From Temporary Assistance for Needy Families Federal Fund (0199)..... 10,000,000

For an evidence-based program through a school-based early warning and response system that improves student attendance, behavior and course performance in reading and math by identifying the root causes for student absenteeism, classroom disruption, and course failure

From Temporary Assistance for Needy Families Federal Fund (0199)..... 500,000

For payments to qualified agencies for TANF or TANF maintenance of effort after school support programs

From Budget Stabilization Fund (0522) 1,000,000

From Temporary Assistance for Needy Families Federal Fund (0199)..... 1,000,000

Total..... 2,000,000

For payments to qualified agencies for TANF or TANF maintenance of effort out of school support programs

From Temporary Assistance for Needy Families Federal Fund (0199)..... 2,000,000

For services that provide assistance and engagement to address critical areas of need for low income individuals, families, and children located in a city not within a county

From Temporary Assistance for Needy Families Federal Fund (0199)..... 250,000

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For a program located in a city not within a county that helps youth, families, and older adults attain self-sustaining lives by providing innovative social, educational and recreational resources	
From Temporary Assistance for Needy Families Federal Fund (0199).....	200,000
For a public school located in city with more than one thousand nine hundred but fewer than two thousand one hundred fifty inhabitants and located in a county with more than twenty-two thousand but fewer than twenty-five thousand inhabitants and with a county seat with more than five hundred but fewer than nine hundred, a public school located in a city with more than twelve thousand five hundred but fewer than fourteen thousand inhabitants and located in a county with more than fifty thousand but fewer than sixty thousand inhabitants and with a county seat with more than twelve thousand six hundred but fewer than fifteen thousand inhabitants, and a public school located in city with more than seven thousand but fewer than eight thousand inhabitants and that is the county seat of a county with more than fifteen thousand seven hundred but fewer than seventeen thousand six hundred inhabitants, for a model that uses integrated student support in collaboration with local communities to address barriers to student success	
From Temporary Assistance for Needy Families Federal Fund (0199).....	600,000
For an organization with a program with the goal of reaching independence from poverty through support, education, career development, financial planning, and mentoring located in a city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants	
From Temporary Assistance for Needy Families Federal Fund (0199).....	950,000
For a program to support a coalition of organizations serving neighborhoods located in the southern part of a city not within a county that works in collaboration to create a trauma-informed safety net of service providers and case managers to ensure that youth aged ten through seventeen have access to necessary services, programs, and opportunities so they can complete school and avoid risky behaviors	
From Temporary Assistance for Needy Families Federal Fund (0199).....	102,850
For a program, located in a city not in within a county, that offers community housing and community integration to adults with developmental disabilities in nurturing, positive, and stable home-like environments	
From Temporary Assistance for Needy Families Federal Fund (0199).....	230,000
For a program that helps older adults live with dignity and independence in their housing by providing case management, counseling, and reverse mortgage counseling	
From Budget Stabilization Fund (0522)	250,000
For a century-old viable non-profit entity located in a city not within a county that annually serves over one hundred thousand clients regionally in efforts to deescalate violence and offer conflict mediation and connects	

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neighborhood residents with the necessary viable resources and services, in an effort to reduce crime, violence, and to improve the quality of life	
From Budget Stabilization Fund (0522)	1,000,000
For a nonprofit organization located in any city with more than four hundred thousand inhabitants and located in more than one county that provides programs and services including math, science, and computer tutoring; jobs skills training; food and clothing programs; and sports programs	
From General Revenue Fund (0101)	100,000
For a corporation located in any city not within a county with over 20 years' experience undertaking community development activities that include housing, neighborhood improvement and economic development in the neighborhoods and communities within the city's North side	
From Temporary Assistance for Needy Families Federal Fund (0199).....	250,000
For the purpose of funding a program in any city not within a county that builds strong families and vibrant communities by providing hope, comprehensive services, and meaningful opportunities that exemplifies the cultural and artistic traditions of people in Africa, the Caribbean and the Americas	
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,000,000
Total.....	\$43,289,650

SECTION 11.157. — To the Department of Social Services

For the Family Support Division

For a program administered by a city with more than four hundred thousand inhabitants and located in more than one county, to assist a disadvantaged neighborhood with creating sustainable solutions for responding to conditions caused by homeless camps	
From General Revenue Fund (0101)	\$15,000

SECTION 11.160. — To the Department of Social Services

For the Family Support Division

For alternatives to abortion services, including the provision of diapers and other infant hygiene products to women who qualify for alternative to abortion services, provided that if the Department grants or allocates funds to certain not-for-profit organizations or regions of the state that are unused or anticipated to be unused, then the Department shall redistribute such funds to other not-for-profit organizations or regions of the state to ensure that all the funds appropriated are available to serve women who qualify for alternatives to abortion services	
From General Revenue Fund (0101)	\$2,033,561
From Temporary Assistance for Needy Families Federal Fund (0199).....	6,300,000
From Department of Social Services Federal Fund (0610).....	50,000

For the alternatives to abortion public awareness program, including assistance to contractors and subcontractors with the Department for alternatives to abortion services, to help alternatives to abortion agencies reach pregnant

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women at risk for having abortions when such agencies are blocked or in any other way suppressed by any search engine, social media platform, or digital advertising network	
From General Revenue Fund (0101)	275,000
For a healthy marriage and fatherhood initiative	
From Temporary Assistance for Needy Families Federal Fund (0199).....	<u>2,500,000</u>
Total.....	\$11,158,561

SECTION 11.165. — To the Department of Social Services

For the Family Support Division

For supplemental payments to aged or disabled persons

From General Revenue Fund (0101)	\$10,872
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SECTION 11.170. — To the Department of Social Services

For the Family Support Division

For nursing care payments to aged, blind, or disabled persons, and for personal funds to recipients of Supplemental Nursing Care payments as required by Section 208.030, RSMo

From General Revenue Fund (0101)	\$25,420,885
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SECTION 11.175. — To the Department of Social Services

For the Family Support Division

For Blind Pension and supplemental payments to blind persons, provided that the Department of Social Services, whenever it calculates a new estimated rate or rates for the Blind Pension and/or supplemental payments to blind persons for the upcoming fiscal year, shall transmit the new estimated rate or rates, as well as the accompanying assumptions and calculations used to create the new estimated rate or rates, to the following organizations: Missouri Council for the Blind, National Federation of the Blind of Missouri, and the State Rehabilitation Council

From Blind Pension Fund (0621).....	\$37,262,368
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SECTION 11.180. — To the Department of Social Services

For the Family Support Division

For community services programs provided by Community Action Agencies or other not-for-profit organizations under the provisions of the Community Services Block Grant

From Department of Social Services Federal Fund (0610).....	\$23,637,000
From Department of Social Services Federal Stimulus Fund (2355)	<u>16,326,084</u>
Total.....	\$39,963,084

SECTION 11.185. — To the Department of Social Services

For the Family Support Division

For the Emergency Solutions Grant Program

From Department of Social Services Federal Stimulus Fund (2355).....	\$8,137,510
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SECTION 11.190. — To the Department of Social Services

For the Family Support Division

For the Food Distribution Program, the receipt and disbursement of Donated

Food Program payments and for the Local Food Purchase Assistance

Cooperative Program

From Department of Social Services Federal Fund (0610).....\$3,675,029

From Department of Social Services Federal Stimulus Fund (2355)..... 1,723,181

From Department of Social Services Federal Stimulus

- 2021 Fund (2456) 6,100,000

Total.....\$11,498,210

SECTION 11.195. — To the Department of Social Services

For the Family Support Division

For the Low-Income Home Energy Assistance Program, provided the eligible

household income does not exceed one hundred and fifty percent (150%) of

the federal poverty level or sixty percent (60%) of the state median income

(SMI)

From Department of Social Services Federal Fund (0610).....\$101,619,871

From Department of Social Services Federal Stimulus Fund (2355).....8,013,201

From Department of Social Services Federal Stimulus - 2021 Fund (2456).....93,459,077

For the Low-Income Household Drinking Water and Wastewater Emergency

Assistance Program, provided the eligible household income does not

exceed one hundred and fifty percent (150%) of the federal poverty level or

sixty percent (60%) of the state median income (SMI)

From Department of Social Services Federal Stimulus Fund (2355)..... 12,110,505

From Department of Social Services Federal Stimulus - 2021 Fund (2456)..... 9,687,425

Total.....\$224,890,079

SECTION 11.200. — To the Department of Social Services

For the Family Support Division

For a nonprofit organization located in a city not within a county that builds

homes and communities that is dedicated to eliminating substandard housing

in a city not within a county and empowers local families to build and

purchase their own home

From General Revenue Fund (0101)\$250,000

SECTION 11.205. — To the Department of Social Services

For the Family Support Division

For grants to not-for-profit organizations for services and programs to assist

victims of domestic violence, provided three percent (3%) flexibility is

allowed from this section to Section 11.950

From General Revenue Fund (0101)\$5,000,000

From Temporary Assistance for Needy Families Federal Fund (0199)..... 1,600,000

From Department of Social Services Federal Fund (0610).....2,116,524

From Department of Social Services Federal Stimulus - 2021 Fund (2456).....8,309,001

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Matter in bold-face type is proposed language.

For emergency shelter services to assist victims of domestic violence
 From Temporary Assistance for Needy Families Federal Fund (0199)..... 562,137

For emergency shelter services to assist victims of domestic violence with
 substance history located in any city with more than four hundred thousand
 inhabitants and located in more than one county
 From Temporary Assistance for Needy Families Federal Fund (0199)..... 200,000
 Total.....\$17,787,662

SECTION 11.210. — To the Department of Social Services

For the Family Support Division

For the Victims of Crime Act (VOCA) Unit

For the administrative expenses of the Victims of Crime Act program

Personal Service.....\$427,447

Expense and Equipment..... 100,000

From Victims of Crime Act Federal Fund (0146) 527,447

For training and technical assistance expenses for the Victims of Crime Act
 program

Expense and Equipment

From Victims of Crime Act Federal Fund (0146) 500,000

For the information technology expenses for the Victims of Crime Act program

Expense and Equipment

From Victims of Crime Act Federal Fund (0146) 1,000,000

Total (Not to exceed 8.00 F.T.E.).....\$2,027,447

SECTION 11.215. — To the Department of Social Services

For the Family Support Division

For the Victims of Crime Act (VOCA) Unit

For grants to organizations for services and programs to assist victims of crime,
 provided that such funds shall be awarded through a competitive grant
 process

From Victims of Crime Act Federal Fund (0146)\$65,035,217

SECTION 11.220. — To the Department of Social Services

For the Family Support Division

For the Victims of Crime Act (VOCA) Unit

For grants to not-for-profit organizations for services and programs to assist
 victims of sexual assault, provided three percent (3%) flexibility is allowed
 from this section to Section 11.950

From General Revenue Fund (0101) \$750,000

From Department of Social Services Federal Stimulus

- 2021Fund (2456) 2,940,803

Total.....\$3,690,803

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 Matter in bold-face type is proposed language.

SECTION 11.225. — To the Department of Social Services

For the Family Support Division

For the administration of blind services, provided three percent (3%) flexibility
is allowed from this section to Section 11.950

Personal Service.....	\$943,092
Expense and Equipment.....	<u>134,031</u>
From General Revenue Fund (0101).....	1,077,123

Personal Service.....	3,494,314
Expense and Equipment.....	<u>751,428</u>
From Department of Social Services Federal Fund (0610).....	<u>4,245,742</u>
Total (Total not to exceed 102.69 F.T.E.).....	\$5,322,865

SECTION 11.230. — To the Department of Social Services

For the Family Support Division

For services for the visually impaired, provided three percent (3%) flexibility is
allowed from this section to Section 11.950

From General Revenue Fund (0101).....	\$1,491,125
From Department of Social Services Federal Fund (0610).....	6,424,336
From Family Services Donations Fund (0167).....	99,995
From Blindness Education, Screening and Treatment Program Fund (0892).....	349,000
From Department of Social Services Federal Stimulus Fund (2355).....	<u>271,955</u>
Total.....	\$8,636,411

SECTION 11.235. — To the Department of Social Services

For the Family Support Division

For business enterprise programs for the blind

From Department of Social Services Federal Fund (0610).....	\$42,003,034
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SECTION 11.237. — To the Department of Social Services

For the Family Support Division

For programs which are engaged in the resettling of refugees and legal
immigrants

From Budget Stabilization Fund (0522).....	\$5,000,000
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SECTION 11.240. — To the Department of Social Services

For the Family Support Division

For Child Support Enforcement field staff and operations, provided three percent
(3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$3,836,578
Expense and Equipment.....	<u>3,117,652</u>
From General Revenue Fund (0101).....	6,954,230

Personal Service.....	18,264,156
Expense and Equipment.....	<u>8,446,010</u>
From Department of Social Services Federal Fund (0610).....	26,710,166

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Personal Service.....	2,269,321
Expense and Equipment.....	<u>1,105,234</u>
From Child Support Enforcement Fund (0169).....	<u>3,374,555</u>
Total (Not to exceed 651.24 F.T.E.)	\$37,038,951

SECTION 11.245. — To the Department of Social Services

For the Family Support Division

For reimbursements to counties and the City of St. Louis and contractual agreements with local governments providing child support services, provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$2,240,491
From Department of Social Services Federal Fund (0610).....	14,886,582
From Child Support Enforcement Fund (0169).....	<u>400,212</u>
Total.....	\$17,527,285

SECTION 11.250. — To the Department of Social Services

For the Family Support Division

For reimbursements to the federal government for federal Temporary Assistance for Needy Families payments, refunds of bonds, refunds of support payments or overpayments, and distributions to families

From Department of Social Services Federal Fund (0610).....	\$51,500,000
From Debt Offset Escrow Fund (0753).....	<u>9,000,000</u>
Total.....	\$60,500,000

SECTION 11.255. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Department of Social Services Federal Fund

From Debt Offset Escrow Fund (0753).....	\$955,000
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Funds are to be transferred out of the State Treasury to the Child Support Enforcement Fund

From Debt Offset Escrow Fund (0753).....	<u>245,000</u>
Total.....	\$1,200,000

SECTION 11.300. — To the Department of Social Services

For the Children's Division, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$1,656,527
Expense and Equipment.....	<u>2,007,225</u>
From General Revenue Fund (0101)	3,663,752

Personal Service

From Child Care and Development Block Grant Federal Fund (0168).....	38,013
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Personal Service

From Temporary Assistance for Needy Families Federal Fund (0199).....	784,336
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Personal Service.....	1,588,955
Expense and Equipment.....	<u>1,038,395</u>
From Department of Social Services Federal Fund (0610).....	2,627,350
Expense and Equipment	
From Third Party Liability Collections Fund (0120).....	51,719
Expense and Equipment	
From Department of Social Services Federal Stimulus - 2021 Fund (2456).....	<u>929,438</u>
Total (Not to exceed 76.19 F.T.E.)	\$8,094,608

SECTION 11.305. — To the Department of Social Services

For the Children's Division, provided five percent (5%) flexibility is allowed
between personal service and expense and equipment

For the Children's Division field staff and operations

Personal Service.....	\$40,835,262
Expense and Equipment.....	<u>2,703,573</u>
From General Revenue Fund (0101)	43,538,835

Personal Service	
From Child Care and Development Block Grant Federal Fund (0168).....	179,561

Personal Service.....	12,636,268
Expense and Equipment.....	<u>1,756,362</u>
From Temporary Assistance for Needy Families Federal Fund (0199).....	14,392,630

Personal Service.....	30,509,479
Expense and Equipment.....	<u>3,194,669</u>
From Department of Social Services Federal Fund (0610).....	33,704,148

Personal Service.....	85,979
Expense and Equipment.....	<u>34,094</u>
From Health Initiatives Fund (0275).....	120,073

For recruitment and retention services

From General Revenue Fund (0101)	572,787
From Department of Social Services Federal Fund (0610).....	793,132

For the creation of a foster care portal software that can be accessed by children's
division caseworkers, licensed foster families, foster care licensure
applicants, parents or guardians of children in foster care and other key
parties to ensure streamlined communication and information sharing

From General Revenue Fund (0101)	500,000
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For expanding the reach of the Foster Care Wellness Pilot Module statewide

From Budget Stabilization Fund (0522)	<u>1,925,000</u>
Total (Not to exceed 1,811.29 F.T.E.)	\$95,726,166

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SECTION 11.310. — To the Department of Social Services

For the Children's Division

Expense and Equipment

For the development and integration of a new comprehensive child welfare information system

From Budget Stabilization Fund (0522)\$6,000,000

From Department of Social Services Federal Fund (0610)..... 2,000,000

Total.....\$8,000,000

SECTION 11.315. — To the Department of Social Services

For the Children's Division

For Children's Division staff training, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Expense and Equipment

From General Revenue Fund (0101)\$1,084,531

From Department of Social Services Federal Fund (0610)..... 590,208

For specialized investigation skills training

Expense and Equipment

From Department of Social Services Federal Stimulus - 2021 Fund (2456)..... 650,607

Total.....\$2,325,346

SECTION 11.317. — To the Department of Social Services

For the Children's Division

For prevention of human trafficking

Expense and Equipment

From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$278,833

For grants to nonprofit organizations for prevention and education efforts concerning human trafficking through a program that reaches public and charter schools

From General Revenue Fund (0101) 450,000

Total.....\$728,833

SECTION 11.318. — To the Department of Social Services

For the Children's Division

For prevention services and programs for children and families to assist children to remain safely in their homes and prevent the need for foster care placement

Brief Strategic Family Therapy (BSFT)

From General Revenue Fund (0101)\$1,037,787

From Department of Social Services Federal Fund (0610)..... 1,525,543

Parent-Child Interaction Therapy (PCIT)

From General Revenue Fund (0101) 995,630From Department of Social Services Federal Fund (0610)..... 1,343,545

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Birth Match Program as set forth in Section, 210.156 RSMo	
From Temporary Assistance for Needy Families Federal Fund (0199).....	558,065
Total.....	\$5,460,570

SECTION 11.320. — To the Department of Social Services

For the Children's Division, provided ten percent (10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950

For children's treatment services including, but not limited to, home-based services, day treatment services, preventive services, family reunification services, or intensive in-home services	
From General Revenue Fund (0101).....	\$12,327,722
From Title XIX - Federal Fund (0163).....	50,000
From Temporary Assistance for Needy Families Federal Fund (0199).....	425,286
From Department of Social Services Federal Fund (0610).....	9,796,892
For crisis care	
From General Revenue Fund (0101).....	2,050,000
Total.....	\$24,649,900

SECTION 11.325. — To the Department of Social Services

For the Children's Division

For costs associated with the implementation of the Family First Prevention Services Act

Grants to providers to develop community settings	
From Department of Social Services Federal Fund (0610).....	\$5,000,000
Contract for coordination and development of community settings	
From General Revenue (0101).....	500,000
From Department of Social Services Federal Fund (0610).....	500,000
Grants to providers to assist with residential facility readiness	
From Department of Social Services Federal Fund (0610).....	2,000,000
Development and start-up of new prevention programs that meet FFPSA criteria	
From Department of Social Services Federal Fund (0610).....	2,500,000
Other expense and equipment related expenses	
From Department of Social Services Federal Fund (0610).....	360,064
Total.....	\$10,860,064

SECTION 11.330. — To the Department of Social Services

For the Children's Division

For foster care placement special expenses, respite services, and transportation expenses; expenses related to training of foster parents, provided ten percent

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(10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370, and further provided ten percent (10%) flexibility is allowed between Section 11.330 and Section 11.745

From General Revenue Fund (0101)	\$1,677,411
From Temporary Assistance for Needy Families Federal Fund (0199).....	1,052,158
From Department of Social Services Federal Fund (0610).....	783,601

For foster care treatment costs in an outdoor learning foster care program that is licensed or accredited for treatment programming with the reimbursement rate for this service determined by a cost study for payment in addition to other service rates for the foster child, provided that such reimbursement rate shall not exceed the appropriation authority, and further provided that no funds shall be expended to any vendor whose employees or former employees, since January 1, 2019, have been charged by a county or federal prosecutor or indicted by a grand jury for any crime against children

From General Revenue Fund (0101)	183,385
From Department of Social Services Federal Fund (0610).....	316,615

For awards to licensed community-based foster care and adoption recruitment programs

From Foster Care and Adoptive Parents Recruitment and Retention Fund (0979).....	15,000
Total.....	\$4,028,170

SECTION 11.335. — To the Department of Social Services

For the Children's Division

For foster care maintenance payments, provided ten percent (10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370

From General Revenue Fund (0101)	\$44,924,718
From Temporary Assistance for Needy Families Federal Fund (0199).....	21,851,184
From Department of Social Services Federal Fund (0610).....	17,627,512
From Alternative Care Trust Fund (0905).....	8,000,000
Total.....	\$92,403,414

SECTION 11.338. — To the Department of Social Services

For the Children's Division

For therapeutic foster care placements room and board expenses, provided ten percent (10%) flexibility is allowed between Sections 11.338, 11.745 and 11.760

From General Revenue Fund (0101)	\$4,094,265
From Department of Social Services Federal Fund (0610).....	1,688,464
Total.....	\$5,782,729

SECTION 11.339. — To the Department of Social Services

For the Children's Division

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For Qualified Residential Treatment Program (QRTF) placements room and board expenses, provided ten percent (10%) flexibility is allowed between Sections 11.339 and 11.340	
From General Revenue Fund (0101)	\$14,751,904
From Department of Social Services Federal Fund (0610).....	<u>4,712,829</u>
Total.....	\$19,464,733

SECTION 11.340. — To the Department of Social Services

For the Children's Division

For residential treatment placements and therapeutic treatment services; and for the diversion of children from inpatient psychiatric treatment and services provided through comprehensive, expedited permanency systems of care for children and families, provided ten percent (10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370, and further provided ten percent (10%) flexibility is allowed between Sections 11.339 and 11.340

From General Revenue Fund (0101)	\$21,898,318
From Temporary Assistance for Needy Families Federal Fund (0199).....	13,351,973
From Department of Social Services Federal Fund (0610).....	<u>7,105,140</u>
Total.....	\$42,355,431

SECTION 11.345. — To the Department of Social Services

For the Children's Division

For contractual payments for expenses related to training of foster parents

From General Revenue Fund (0101)	\$603,510
From Department of Social Services Federal Fund (0610).....	<u>372,933</u>
Total.....	\$976,443

SECTION 11.350. — To the Department of Social Services

For the Children's Division

For costs associated with attending post-secondary education including, but not limited to tuition, books, fees, room and board for current or former foster youth, provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$188,848
From Temporary Assistance for Needy Families Federal Fund (0199).....	450,000
From Department of Social Services Federal Fund (0610).....	1,050,000
From Department of Social Services Federal Stimulus Fund (2355).....	<u>1,485,593</u>
Total.....	\$3,174,441

SECTION 11.355. — To the Department of Social Services

For the Children's Division

For comprehensive case management contracts through community-based organizations as described in Section 210.112, RSMo; the purpose of these contracts shall be to provide a system of care for children living in foster care, independent living, or residential care settings; services eligible under

this provision may include, but are not limited to, case management, foster care, residential treatment, intensive in-home services, family reunification services, and specialized recruitment and training of foster care families, provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$23,011,227
From Department of Social Services Federal Fund (0610).....	<u>18,403,909</u>
Total.....	\$41,415,136

SECTION 11.360. — To the Department of Social Services

For the Children's Division, provided ten percent (10%) flexibility is allowed between subsections within this section, and provided ten percent (10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370

For adoption subsidy payments	
From General Revenue Fund (0101)	\$41,881,137
From Temporary Assistance for Needy Families Federal Fund (0199).....	14,439,396
From Department of Social Services Federal Fund (0610).....	<u>40,071,860</u>

For guardianship subsidy payments	
From General Revenue Fund (0101)	13,579,821
From Temporary Assistance for Needy Families Federal Fund (0199).....	11,860,598
From Department of Social Services Federal Fund (0610).....	<u>11,470,218</u>
Total.....	\$133,303,030

SECTION 11.365. — To the Department of Social Services

For the Children's Division

For Family Resource Centers

For a Family Resource Center with a primary office location, in any city with more than one hundred five thousand but fewer than one hundred twenty-five thousand inhabitants, to provide supports to meet the needs of children impacted by foster care or are at risk of entering foster care and their foster/adoptive/kinship/guardianship families including, but not limited to: information dissemination via print and social media; training to caregivers and professionals regarding trauma, attachment, and emerging best practices; peer support groups; social and community activities; financial and/or material supports; respite care; advocacy, navigation, and support, including kinship navigator and Fostering Prevention; in-home therapeutic services, including Behavioral Interventionist Program; and youth aging out services, including the Community Connections Youth Project Program and Aging Out Solutions. And to provide recruitment efforts for children impacted by foster care in these same counties, to secure foster/adoptive/kinship/ guardianship families through methods including, but not limited to: traditional foster/adoptive family recruitment, with a focus on meeting the unique cultural needs of children; specialized foster/adoptive

family recruitment, such as Treatment Foster Care, Elevated Needs Foster Care, or Specialized care of a child with medical or other special needs; child-specific recruitment for older youth and sibling groups, which may include family finding, Extreme Family Finding, and 30 Days to Family

From General Revenue Fund (0101)\$2,698,434
 From Temporary Assistance for Needy Families Federal Fund (0199)..... 391,910
 From Department of Social Services Federal Fund (0610).....5,807,580

For a Family Resource Center with a primary office location, in any city with more than forty thousand but fewer than fifty-one thousand inhabitants and partially located in a county with more than seventy thousand but fewer than eighty thousand inhabitants, to provide supports to meet the needs of children impacted by foster care or are at risk of entering foster care and their foster/adoptive/kinship/ guardianship families: including, but not limited to: information dissemination via print and social media; training to caregivers and professionals regarding trauma, attachment, and emerging best practices; peer support groups; social and community activities; financial and/or material supports; respite care; advocacy, navigation, and support, including kinship navigator; in-home therapeutic services, including Behavioral Interventionist Program; and youth aging out services, including the Community Connections Youth Project Program and Aging Out Solutions. And to provide recruitment efforts for children impacted by foster care in these same counties, to secure foster/adoptive/kinship/ guardianship families through methods including, but not limited to: traditional foster/adoptive family recruitment, with a focus on meeting the unique cultural needs of children; specialized foster/adoptive family recruitment, such as Treatment Foster Care, Elevated Needs Foster Care, or Specialized care of a child with medical or other special needs; child-specific recruitment for older youth and sibling groups, which may include family finding, Extreme Family Finding, and 30 Days to Family

From General Revenue Fund (0101)2,389,828
 From Temporary Assistance for Needy Families Federal Fund (0199)..... 326,023
 From Department of Social Services Federal Fund (0610).....4,686,171

For a Family Resource Center with a primary office location in any county with more than one million inhabitants to provide supports to meet the needs of children impacted by foster care and their foster/adoptive/kinship/guardianship families including, but not limited to: information dissemination via print and social media; training to caregivers and professionals regarding trauma, attachment, and emerging best practices; peer support groups; social and community activities; financial and/or material supports; respite care; advocacy, navigation, and support, including kinship navigator; in-home therapeutic services; and youth aging out services, including employment and housing. And to provide recruitment efforts for children impacted by foster care in these same counties, to secure foster/adoptive/kinship/guardianship families through

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methods including, but not limited to: traditional foster/adoptive family recruitment, with a focus on meeting the unique cultural needs of children through the RESPOND program; specialized foster/adoptive family recruitment, such as Treatment Foster Care, Elevated Needs Foster Care, or Specialized care of a child with medical or other special needs; child-specific recruitment for older youth and sibling groups, which may include family finding, Extreme Recruitment, and 30 Days to Family

From General Revenue Fund (0101)	1,995,302
From Temporary Assistance for Needy Families Federal Fund (0199).....	271,142
From Department of Social Services Federal Fund (0610).....	3,889,565

For the Kinship Navigator program

From Department of Social Services Federal Fund (0610).....	372,318
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For additional Behavioral Intervention Services in areas of need

From Department of Social Services Federal Fund (0610).....	900,000
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For a Family Resource Center located in a city with more than sixteen thousand but fewer than eighteen thousand inhabitants and located in more than one county, and located in a city with more than four thousand nine hundred but fewer than five thousand six hundred inhabitants and located in a county with more than fourteen thousand but fewer than fifteen thousand seven hundred inhabitants and with a county seat with more than four thousand nine hundred but fewer than five thousand five hundred inhabitants, and located in a city with more than four thousand nine hundred but fewer than five thousand six hundred inhabitants and that is the county seat of a county with more than twelve thousand five hundred but fewer than fourteen thousand inhabitants

From General Revenue Fund (0101)	600,000
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For a Family Resource Center located in a county with more than seventeen thousand six hundred but fewer than nineteen thousand inhabitants and with a county seat with more than three hundred but fewer than one thousand inhabitants

From General Revenue Fund (0101)	300,000
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For a Family Resource Center located in any city with more than thirty-six thousand five hundred but fewer than forty thousand inhabitants

From General Revenue Fund (0101)	500,000
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Total.....	\$25,128,273
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SECTION 11.370. — To the Department of Social Services

For the Children's Division

For independent living placements and transitional living services, provided ten percent (10%) flexibility is allowed between Sections 11.320, 11.330, 11.335, 11.340, 11.360, and 11.370

From General Revenue Fund (0101)	\$1,947,584
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From Department of Social Services Federal Fund (0610).....	3,671,203
From Department of Social Services Federal Stimulus Fund (2355).....	<u>9,180,241</u>
Total.....	\$14,799,028

SECTION 11.375. — To the Department of Social Services

For the Children's Division

For Regional Child Assessment Centers, provided three percent (3%) flexibility
is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$2,249,475
From Department of Social Services Federal Fund (0610).....	800,000
From Health Initiatives Fund (0275).....	501,048

For the purpose of funding a child protection center located in any city with more than four hundred thousand inhabitants and located in more than one county, serving Jackson, Cass, and Lafayette county, who helps to build a healthier community by leading the multidisciplinary response to the prevention, identification, and treatment of child abuse and violence through forensic interviews, family advocacy services and therapy services for children and families free of charge

From General Revenue Fund (0101)	<u>650,000</u>
Total.....	\$4,200,523

SECTION 11.380. — To the Department of Social Services

For the Children's Division

For residential placement payments to counties for children in the custody of
juvenile courts

From Department of Social Services Federal Fund (0610).....	\$175,000
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SECTION 11.385. — To the Department of Social Services

For the Children's Division

For CASA IV-E allowable training costs

From Department of Social Services Federal Fund (0610).....	\$150,000
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SECTION 11.390. — To the Department of Social Services

For the Children's Division

For the Child Abuse and Neglect Prevention Grant and Children's Justice Act
Grant

From Department of Social Services Federal Fund (0610).....	\$1,770,784
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SECTION 11.395. — To the Department of Social Services

For the Children's Division

For transactions involving personal funds of children in the custody of the
Children's Division

From Alternative Care Trust Fund (0905).....	\$8,000,000
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SECTION 11.400. — To the Department of Social Services

For the Division of Youth Services

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For the Central Office and regional offices, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$930,613
Expense and Equipment.....	81,090
From General Revenue Fund (0101)	1,011,703

Personal Service.....	223,375
Expense and Equipment.....	13,824
From Title XIX - Federal Fund (0163).....	237,199

Personal Service.....	832,337
Expense and Equipment	86,672
From Temporary Assistance for Needy Families Federal Fund (0199).....	919,009

Expense and Equipment	
From Youth Services Treatment Fund (0843)	999
Total (Not to exceed 39.30 F.T.E.)	\$2,168,910

SECTION 11.405. — To the Department of Social Services

For the Division of Youth Services

For treatment services, including foster care and contractual payments, provided up to \$500,000 can be used for juvenile court diversion, provided ten percent (10%) flexibility is allowed between federal funds within this section, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950

Personal Service.....	\$20,946,214
Expense and Equipment.....	1,176,030
From General Revenue Fund (0101)	22,122,244

Personal Service.....	10,706,574
Expense and Equipment.....	1,514,570
From Temporary Assistance for Needy Families Federal Fund (0199).....	12,221,144

Personal Service.....	4,512,733
Expense and Equipment.....	4,067,849
From Title XIX - Federal Fund (0163).....	8,580,582

Personal Service.....	844,000
Expense and Equipment.....	1,125,000
From Department of Social Services Federal Fund (0610).....	1,969,000

Personal Service.....	3,395,479
Expense and Equipment.....	3,854,767
From DOSS Educational Improvement Fund (0620)	7,250,246

Personal Service.....	157,168
Expense and Equipment.....	9,106
From Health Initiatives Fund (0275).....	166,274

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Expense and Equipment	
From Youth Services Products Fund (0764).....	5,000
For overtime to non-exempt state employees and/or for paying otherwise authorized personal service expenditures in lieu of such overtime payments; non-exempt state employees identified by Section 105.935, RSMo, will be paid first with any remaining funds to be used to pay overtime to any other state employees	
From General Revenue Fund (0101)	998,284
For payment distribution of Social Security benefits received on behalf of youth in care	
From Division of Youth Services Child Benefits Fund (0727)	200,000
Total (Not to exceed 1,046.38 F.T.E.)	\$53,512,774

SECTION 11.410. — To the Department of Social Services

For the Division of Youth Services

For incentive payments to counties for community-based treatment programs for youth, provided three percent (3%) flexibility is allowed from this section to Section 11.950	
From General Revenue Fund (0101)	\$3,479,486
From Gaming Commission Fund (0286)	500,000
Total.....	\$3,979,486

SECTION 11.600. — To the Department of Social Services

For the MO HealthNet Division

For administrative services, provided three percent (3%) flexibility is allowed from this section to Section 11.950, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Section 11.620 to Sections 11.700, 11.715, 11.730, 11.745, 11.750, 11.760, and 11.765	
Personal Service.....	\$3,608,738
Expense and Equipment.....	8,738,305
From General Revenue Fund (0101)	12,347,043
Personal Service.....	403,923
Expense and Equipment.....	1,286,088
From FMAP Enhancement - Expansion Fund (2466)	1,690,011
Personal Service.....	7,326,113
Expense and Equipment.....	15,672,883
From Department of Social Services Federal Fund (0610).....	22,998,996
Personal Service.....	475,948
Expense and Equipment.....	55,553
From Pharmacy Rebates Fund (0114).....	531,501

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Personal Service.....	115,180
Expense and Equipment.....	<u>232,708</u>
From Federal Reimbursement Allowance Fund (0142).....	347,888
Personal Service.....	30,088
Expense and Equipment.....	<u>356</u>
From Pharmacy Reimbursement Allowance Fund (0144)	30,444
Personal Service.....	496,038
Expense and Equipment.....	<u>41,385</u>
From Health Initiatives Fund (0275).....	537,423
Personal Service.....	98,061
Expense and Equipment.....	<u>10,281</u>
From Nursing Facility Quality of Care Fund (0271)	108,342
Personal Service.....	461,027
Expense and Equipment.....	<u>488,041</u>
From Third Party Liability Collections Fund (0120).....	949,068
Expense and Equipment	
From Life Sciences Research Trust Fund (0763)	3,000
Personal Service	
From Missouri Rx Plan Fund (0779)	403,625
Personal Service.....	20,877
Expense and Equipment.....	<u>128,466</u>
From Ambulance Service Reimbursement Allowance Fund (0958)	149,343
Personal Service.....	50,452
Expense and Equipment.....	<u>425,372</u>
From Ground Emergency Medical Transportation Fund (0422).....	475,824
Total (Not to exceed 243.70 F.T.E.)	<u>\$40,572,508</u>

SECTION 11.605. — To the Department of Social Services

For the MO HealthNet Division

For clinical services management related to the administration of the MO

HealthNet Pharmacy fee-for-service and managed care programs and
administration of the Missouri Rx Plan, provided three percent (3%)
flexibility is allowed from this section to Section 11.950

Expense and Equipment

From General Revenue Fund (0101)	\$461,917
From Department of Social Services Federal Fund (0610).....	12,214,032
From Third Party Liability Collections Fund (0120).....	924,911
From Missouri Rx Plan Fund (0779).....	62,947
From Pharmacy Rebates Fund (0114).....	<u>497,648</u>
Total.....	<u>\$14,161,455</u>

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SECTION 11.610. — To the Department of Social Services

For the MO HealthNet Division

For MO HealthNet Transformation initiatives

Personal Service.....	\$258,370
Expense and Equipment.....	<u>6,130,458</u>
From General Revenue Fund (0101)	6,388,828

Personal Service.....	258,370
Expense and Equipment.....	<u>27,379,318</u>
From Department of Social Services Federal Fund (0610).....	<u>27,637,688</u>
Total (Not to exceed 6.00 F.T.E.).....	\$34,026,516

SECTION 11.615. — To the Department of Social Services

For the MO HealthNet Division

For fees associated with third-party collections and other revenue maximization

cost avoidance fees

Expense and Equipment

From Department of Social Services Federal Fund (0610).....	\$4,250,000
From Third Party Liability Collections Fund (0120).....	<u>4,250,000</u>
Total.....	\$8,500,000

SECTION 11.620. — To the Department of Social Services

For the MO HealthNet Division

For the operation of the information systems, provided three percent (3%) flexibility is allowed from this section to Section 11.950, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Section 11.600 to Sections 11.700, 11.715, 11.730, 11.745, 11.750, 11.760, and 11.765

From General Revenue Fund (0101)	\$41,156,296
From FMAP Enhancement - Expansion Fund (2466)	2,416,534
From Department of Social Services Federal Fund (0610).....	105,578,084
From Health Initiatives Fund (0275).....	1,591,687
From Uncompensated Care Fund (0108)	<u>430,000</u>
Total.....	\$151,172,601

SECTION 11.622. — To the Department of Social Services

For the MO HealthNet Division

For the competitive procurement of technology for a statewide closed-loop social service referral platform for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes; the platform shall: share information securely and consistent with all applicable federal and state laws regarding individual consent, personal health information, privacy, public records, and data security; provide support and be made available statewide, at minimum, to community-based organizations, state

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agencies; hospital system, county programs, and safety net healthcare providers; identify social care needs through embedded screening and other data analytics tools; coordinate social care referrals and interventions through closed-loop referrals which include not only if the referral occurred but the outcome of the referral; track and measure the outcomes of referrals and the impact of interventions; support client-level community health records where this information is longitudinally stored; and create a longitudinal view of a client's social care opportunities, the social care needs identified for this client, the social care services that this client has been connected to, and the outcomes of these social care interventions over time; the services procured with the platform shall include a community engagement team to support the development of multisector network, and provide the identification of, training, onboarding, and ongoing support for community-based organizations

Expense and Equipment

From General Revenue Fund (0101)	\$5,000,000
From Department of Social Services Federal Fund (0610).....	<u>5,000,000</u>
Total.....	\$10,000,000

SECTION 11.625. — To the Department of Social Services

For the MO HealthNet Division

For Healthcare Technology Incentives and administration

From Federal Stimulus-Social Services Fund (2292).....	\$3,000,000
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SECTION 11.630. — To the Department of Social Services

For the MO HealthNet Division

For expenditures related to connecting eligible Medicaid providers under the Medicaid Electronic Health Record (EHR) Incentive Program to other MO HealthNet providers through health information exchange (HIE) or other interoperable system or the costs of other activities that promote providers' use of EHR or HIE, except that no single vendor can be awarded an exclusive contract to provide said services

From General Revenue Fund (0101)	\$1,000,000
From Title XIX - Federal Fund (0163)	<u>9,000,000</u>
Total.....	\$10,000,000

SECTION 11.633. — To the Department of Social Services

For the MO HealthNet Division

For the purpose of supporting the transformation of any or all of the state's existing Health Information Exchanges into a Health Data Utility by providing funds to enhance the existing HIE infrastructure for the purpose of data analysis focused on supporting MO HealthNet. Data analytics provided through the HIE(s) shall provide analysis to MO HealthNet and members focused on enhancing care delivery and system efficiency in the MO HealthNet program and improving health care delivery and outcomes in under-served communities. All HIEs shall be required to maintain strict

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compliance with all patient privacy protections under HIPAA and any other applicable state or federal laws	
From General Revenue Fund (0101)	\$5,000,000
From Department of Social Services Federal Fund (0610)	<u>45,000,000</u>
Total	\$50,000,000

SECTION 11.635. — To the Department of Social Services

For the MO HealthNet Division

For the Money Follows the Person Program

From Department of Social Services Federal Fund (0610)	\$1,532,549
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SECTION 11.700. — To the Department of Social Services

For the MO HealthNet Division, provided three percent (3%) flexibility is allowed from this section to Section 11.950

For pharmaceutical payments under the MO HealthNet fee-for-service program, professional fees for pharmacists, and for a comprehensive chronic care risk management program, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From General Revenue Fund (0101)	\$236,464,021
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	28,795,199
From Title XIX - Federal Fund (0163)	901,448,285
From Pharmacy Rebates Fund (0114)	260,835,622
From Third Party Liability Collections Fund (0120)	4,217,574
From Pharmacy Reimbursement Allowance Fund (0144)	35,376,122
From Health Initiatives Fund (0275)	3,543,350
From Premium Fund (0885)	3,800,000

For Medicare Part D Clawback payments, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825

From General Revenue Fund (0101)	<u>220,981,651</u>
Total	\$1,695,461,824

SECTION 11.705. — To the Department of Social Services

For the MO HealthNet Division

For the purpose of funding pharmaceutical payments under the Missouri Rx Plan authorized by Sections 208.780 through 208.798, RSMo

From General Revenue Fund (0101)	\$3,765,778
From Missouri Rx Plan Fund (0779)	<u>2,788,774</u>
Total	\$6,554,552

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SECTION 11.710. — To the Department of Social Services

For the MO HealthNet Division

For Pharmacy Reimbursement Allowance payments as provided by law

From Pharmacy Reimbursement Allowance Fund (0144)\$108,000,000

SECTION 11.715. — To the Department of Social Services

For the MO HealthNet Division

For physician services and related services including, but not limited to, clinic and podiatry services, telemedicine services, physician-sponsored services and fees, laboratory and x-ray services, asthma related services, diabetes prevention and obesity related services, services provided by chiropractic physicians, and family planning services under the MO HealthNet fee-for-service program, and for a comprehensive chronic care risk management program, and Major Medical Prior Authorization, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From General Revenue Fund (0101)\$207,453,315

From Title XXI - Children's Health Insurance Program Federal Fund (0159) 1,558,546

From Title XIX - Federal Fund (0163).....393,155,658

From Pharmacy Reimbursement Allowance Fund (0144) 10,000

From Health Initiatives Fund (0275)..... 1,427,081

From Third Party Liability Collections Fund (0120)..... 241,046

For a pilot program that focuses on providing clinical and case management support for pregnant women who are opioid addicted or display key risk factors which indicate a likelihood for addiction; the primary objective of such program(s) shall be avoiding births requiring extraordinary care due to Neonatal Abstinence Syndrome; the secondary objective is the treatment of the mother for substance use

From General Revenue Fund (0101) 475,518

From Title XIX - Federal Fund (0163) 923,475

For the Program for All-Inclusive Care for the Elderly

From General Revenue Fund (0101) 1,493,338

From Title XIX - Federal Fund (0163) 2,892,061

For a supplemental case management fee to support evidence-based, limited duration mental health treatments to children who have experienced severe physical, sexual, or emotional trauma as a result of abuse or neglect, provided that providers of these evidence-based services document appropriate training or certification in these models

From General Revenue Fund (0101) 425,656

From Title XIX - Federal Fund (0163) 824,344

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For payment of physician and related services to Certified Community Behavioral Health Organizations	
From General Revenue Fund (0101)	31,284,160
From Title XIX - Federal Fund (0163)	<u>54,980,454</u>
Total	\$697,144,652

SECTION 11.720. — To the Department of Social Services

For the MO HealthNet Division

For dental services under the MO HealthNet fee-for-service program, including adult dental procedure codes (Tier 1-6), provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825	
From General Revenue Fund (0101)	\$3,130,423
From Title XIX - Federal Fund (0163)	5,769,120
From Health Initiatives Fund (0275)	<u>71,162</u>
Total	\$8,970,705

SECTION 11.725. — To the Department of Social Services

For the MO HealthNet Division

For payments to third-party insurers, employers, or policy holders for health insurance, provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950	
From General Revenue Fund (0101)	\$123,262,195
From Title XIX - Federal Fund (0163)	<u>237,165,070</u>
Total	\$360,427,265

SECTION 11.730. — To the Department of Social Services

For the MO HealthNet Division

For funding long-term care services

For care in nursing facilities under the MO HealthNet fee-for-service program and for contracted services to develop model policies and practices that improve the quality of life for long-term care residents, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620	
From General Revenue Fund (0101)	\$200,935,385
From Title XIX - Federal Fund (0163)	506,648,813
From Uncompensated Care Fund (0108)	58,516,478
From Third Party Liability Collections Fund (0120)	<u>6,992,981</u>

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For value based incentive payments to nursing facilities
 From General Revenue Fund (0101) 5,856,944
 From Title XIX - Federal Fund (0163)..... 11,343,056

For home health for the elderly under the MO HealthNet fee-for-service program, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620
 From General Revenue Fund (0101) 1,797,530
 From Title XIX - Federal Fund (0163)..... 3,793,801
 From Health Initiatives Fund (0275)..... 159,305
 Total.....\$796,044,293

SECTION 11.735. — To the Department of Social Services

For the MO HealthNet Division

For Nursing Facility Reimbursement Allowance payments as provided by law

From Nursing Facility Reimbursement Allowance Fund (0196).....\$364,882,362

SECTION 11.740. — To the Department of Social Services

For the MO HealthNet Division

For publicly funded long-term care services and support contracts and funding supplemental payments for care in nursing facilities under the nursing facility upper payment limit

From Title XIX - Federal Fund (0163).....\$7,221,758
 From Long Term Support UPL Fund (0724)..... 3,729,010
 Total.....\$10,950,768

SECTION 11.745. — To the Department of Social Services

For the MO HealthNet Division

For all other non-institutional services including, but not limited to, rehabilitation, optometry, audiology, ambulance, non-emergency medical transportation, durable medical equipment, and eyeglasses under the MO HealthNet fee-for-service program, and for rehabilitation services provided by residential treatment facilities as authorized by the Children's Division for children in the care and custody of the Children's Division, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided ten percent (10%) flexibility is allowed between Section 11.330 and Section 11.745, and further provided ten percent (10%) flexibility is allowed between Sections 11.338, 11.745 and 11.760, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From General Revenue Fund (0101)\$100,024,168

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From Title XIX - Federal Fund (0163).....	142,807,183
From Nursing Facility Reimbursement Allowance Fund (0196).....	1,414,043
From Health Initiatives Fund (0275).....	194,881
From Ambulance Service Reimbursement Allowance Fund (0958).....	25,466,717
For non-emergency medical transportation, provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620	
From General Revenue Fund (0101).....	19,344,849
From Title XIX - Federal Fund (0163).....	34,958,521
For the federal share of MO HealthNet reimbursable non-emergency medical transportation for public entities	
From Title XIX - Federal Fund (0163).....	6,460,100
Total.....	\$330,670,462

SECTION 11.750. — To the Department of Social Services

For the MO HealthNet Division

For payments to providers of ground emergency medical transportation, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From Ground Emergency Medical Transportation Fund (0422).....	\$28,590,563
From Title XIX - Federal Fund (0163).....	55,369,683
Total.....	\$83,960,246

SECTION 11.755. — To the Department of Social Services

For the MO HealthNet Division

For complex rehabilitation technology items classified within the Medicare program as of January 1, 2014 as durable medical equipment that are individually configured for individuals to meet their specific and unique medical, physical, and functional needs and capacities for basic activities of daily living and instrumental activities of daily living identified as medically necessary to prevent hospitalization and/or institutionalization of a complex needs patient; such items shall include, but not be limited to, complex rehabilitation power wheelchairs, highly configurable manual wheelchairs, adaptive seating and positioning systems, and other specialized equipment such as standing frames and gait trainers, provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101).....	\$3,965,304
From Title XIX - Federal Fund (0163).....	7,673,213
Total.....	\$11,638,517

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 11.760. — To the Department of Social Services

For the MO HealthNet Division

For payment to comprehensive prepaid health care plans for the general plan as provided by federal or state law or for payments to programs authorized by the Frail Elderly Demonstration Project Waiver as provided by the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508, Section 4744) and by Section 208.152 (16), RSMo, provided that the department shall implement programs or measures to achieve cost-savings through emergency room services reform, and further provided that MO HealthNet eligibles described in Section 501(a)(1)(D) of Title V of the Social Security Act may voluntarily enroll in the Managed Care Program, and further provided that the Department shall direct its contracted actuary to develop an Aged, Blind, and Disabled rate cell inside the MO HealthNet Managed Care program to reflect the cost of those members choosing to be enrolled in a managed care plan, and further provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided ten percent (10%) flexibility is allowed between Sections 11.338, 11.745 and 11.760, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From General Revenue Fund (0101)	\$408,866,774
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	241,011,270
From Title XIX - Federal Fund (0163)	1,146,759,382
From Uncompensated Care Fund (0108)	33,848,436
From Health Initiatives Fund (0275)	18,590,380
From Federal Reimbursement Allowance Fund (0142)	155,083,260
From Healthy Families Trust Fund (0625)	14,735,373
From Life Sciences Research Trust Fund (0763)	26,697,272
From Premium Fund (0885)	9,259,854
From Ambulance Service Reimbursement Allowance Fund (0958)	1,904,607

For supplemental Medicare parity payments to primary care physicians relating to maternal-fetal medicine, neonatology, and pediatric cardiology

From General Revenue Fund (0101)	998,587
From Title XIX - Federal Fund (0163)	1,939,298

For a pilot program to seek a waiver or state plan amendment to provide postpartum care for up to twelve (12) months to women with substance use disorder, provided the cost of the program funded by state match shall not exceed \$750,000, and further provided that this program shall be budget neutral to overall state and federal spending

From General Revenue Fund (0101)	382,892
From Title XIX - Federal Fund (0163)	926,793
From Federal Reimbursement Allowance Fund (0142)	95,664

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For supplemental payments to Tier 1 Safety Net Hospitals, or to any affiliated physician group that provides physicians for any Tier 1 Safety Net Hospital, for physician and other healthcare professional services as approved by the Centers for Medicare and Medicaid Services	
From Title XIX - Federal Fund (0163).....	17,854,343
From Department of Social Services Intergovernmental Transfer Fund (0139).....	<u>9,219,228</u>
Total.....	\$2,088,173,413

SECTION 11.762. — To the Department of Social Services

For the MO HealthNet Division

For payment to a comprehensive prepaid health care plan for the specialty plan as provided by federal or state law or for payments to programs authorized by the Frail Elderly Demonstration Project Waiver as provided by the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508, Section 4744) and by Section 208.152 (16), RSMo.

From General Revenue Fund (0101)	\$97,233,950
From Title XIX - Federal Fund (0163).....	229,427,655
From Federal Reimbursement Allowance Fund (0142).....	21,102,611
From Ambulance Service Reimbursement Allowance Fund (0958).....	<u>300,000</u>
Total.....	\$348,064,216

SECTION 11.765. — To the Department of Social Services

For the MO HealthNet Division

For hospital care under the MO HealthNet fee-for-service program, graduate medical education, and for a comprehensive chronic care risk management program, provided that the MO HealthNet Division shall track payments to out-of-state hospitals by location, and further provided the department seek a waiver of the institutions for mental disease (IMD) exclusion for inpatient mental health treatment for MO HealthNet participants in psychiatric hospitals pursuant to Section 12003 of the 21st Century Cures Act with the state share through the federal reimbursement allowance, and further provided ten percent (10%) flexibility is allowed between this subsection and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 11.600 and 11.620

From General Revenue Fund (0101)	\$46,838,550
From Title XIX - Federal Fund (0163).....	387,967,996
From Federal Reimbursement Allowance Fund (0142).....	132,216,293
From Pharmacy Reimbursement Allowance Fund (0144)	15,709

For Safety Net Payments

From Healthy Families Trust Fund (0625).....	30,365,444
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For the Remote Patient Monitoring program that includes in-home visits and/or phone contact by a nurse care manager or electronic monitor; the purpose of

such program shall be to ensure that patients are discharged from hospitals to an appropriate level of care and services and that targeted MO HealthNet beneficiaries with chronic illnesses and high-risk pregnancies receive care in the most cost-effective setting

From Title XIX - Federal Fund (0163).....	200,000
From Federal Reimbursement Allowance Fund (0142).....	200,000

For the Rx Reminder program, facilitating medication compliance for chronically ill MO HealthNet participants identified by the division as having high utilization of acute care because of poor management of their condition

From Title XIX - Federal Fund (0163).....	215,000
From Federal Reimbursement Allowance Fund (0142).....	215,000
Total.....	\$598,233,992

SECTION 11.767. — To the Department of Social Services

For the MO HealthNet Division

For a pilot program to reduce pediatric hospital admissions and emergency room visits for the pediatric medically complex population, to improve the quality of life for the children and families while reducing costs associated with hospital admissions and emergency room visits, utilizing a team of medical professionals to assess the individuals, and to provide support for medical care at home, supplies and equipment, mental health care, and care coordination through a partnership with a hospital

From General Revenue Fund (0101)	\$750,000
From Title XIX - Federal Fund (0163).....	750,000
Total.....	\$1,500,000

SECTION 11.770. — To the Department of Social Services

For the MO HealthNet Division

For payments to Tier 1 Safety Net Hospitals for enhanced rates to providers and to plan and develop a regional Barriers to Care proposal while maximizing eligible costs for federal Medicaid funds, utilizing current state and local funding sources as match for services that are not currently matched with federal Medicaid payments

From Title XIX - Federal Fund (0163).....	\$17,613,590
From Department of Social Services Intergovernmental Transfer Fund (0139).....	1,709,202
Total.....	\$19,322,792

SECTION 11.775. — To the Department of Social Services

For the MO HealthNet Division

For grants to Federally Qualified Health Centers (FQHCs), provided three percent (3%) flexibility is allowed from this section to Section 11.950

For grants to Federally Qualified Health Centers

From General Revenue Fund (0101)	\$257,732
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For a community health worker initiative that focuses on providing casework services to high utilizers of MO HealthNet Services

From General Revenue Fund (0101)	2,500,000
From Title XIX - Federal Fund (0163)	2,500,000

For women and minority health care outreach programs, provided three percent (3%) flexibility is allowed from this section to Section 11.950

Expense and Equipment	
From General Revenue Fund (0101)	529,796
From Department of Social Services Federal Fund (0610)	568,625
Total	\$6,356,153

SECTION 11.780. — To the Department of Social Services

For the MO HealthNet Division

For payments to technical assistance contractors under Section 330(l) or 330(m) of the Public Health Services Act to assist Federally Qualified Health Centers (FQHCs) with outreach and engagement of Medicaid beneficiaries assigned to FQHCs, for addressing gaps in preventive services and management of chronic conditions, and for incentive payments, provided 100% flexibility is allowed to Section 11.760 for payments to managed care organizations for technical assistance contractors

From General Revenue Fund (0101)	\$1,918,645
From Title XIX - Federal Fund (0163)	3,726,090
Total	\$5,644,735

SECTION 11.785. — To the Department of Social Services

For the MO HealthNet Division

For health homes, provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825

From General Revenue Fund (0101)	\$4,254,003
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	287,787
From Title XIX - Federal Fund (0163)	16,321,875
From Federal Reimbursement Allowance Fund (0142)	6,027,694
Total	\$26,891,359

SECTION 11.790. — To the Department of Social Services

For the MO HealthNet Division

For payments to hospitals under the Federal Reimbursement Allowance Program including state costs to pay for an independent audit of Disproportionate Share Hospital payments as required by the Centers for Medicare and Medicaid Services, for the expenses of the Poison Control Center in order to provide services to all hospitals within the state, and for the Gateway to Better Health 1115 Demonstration

For a continuation of the services provided through Medicaid Emergency Psychiatric Demonstration as required by Section 208.152(16), RSMo

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Title XXI - Children's Health Insurance Program Federal Fund (0159) ...	\$103,540,136
From Federal Reimbursement Allowance Fund (0142).....	<u>1,836,963,432</u>
Total.....	\$1,940,503,568

SECTION 11.795. — To the Department of Social Services

For the MO HealthNet Division

For payments to the Tier 1 Safety Net Hospitals and other public hospitals using
intergovernmental transfers

From Title XIX - Federal Fund (0163).....	\$25,176,772
From Department of Social Services Intergovernmental Transfer Fund (0139).....	<u>12,964,074</u>
Total.....	\$38,140,846

SECTION 11.800. — To the Department of Social Services

For the MO HealthNet Division

For funding programs to enhance access to care for uninsured children using fee for service, prepaid health plans, or other alternative service delivery and reimbursement methodology approved by the director of the Department of Social Services, provided that families of children receiving services under this section shall pay the following premiums to be eligible to receive such services: zero percent on the amount of a family's income which is less than or equal to 150 percent of the federal poverty level; four percent on the amount of a family's income which is less than or equal to 185 percent of the federal poverty level but greater than 150 percent of the federal poverty level; eight percent on the amount of a family's income which is less than or equal to 225 percent of the federal poverty level but greater than 185 percent of the federal poverty level; fourteen percent on the amount of a family's income which is less than or equal to 300 percent of the federal poverty level but greater than 225 percent of the federal poverty level not to exceed five percent of total income; families with an annual income of more than 300 percent of the federal poverty level are ineligible for this program, provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825

From General Revenue Fund (0101)	\$30,724,571
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	98,037,357
From Federal Reimbursement Allowance Fund (0142).....	<u>7,719,204</u>
Total.....	\$136,481,132

SECTION 11.805. — To the Department of Social Services

For the MO HealthNet Division

For the Show-Me Healthy Babies Program authorized by Section 208.662, RSMo, provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From General Revenue Fund (0101)	\$12,681,979
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	<u>40,479,040</u>
Total.....	\$53,161,019

SECTION 11.810. — To the Department of Social Services

For the MO HealthNet Division

For MO HealthNet services for the Department of Elementary and Secondary
Education under the MO HealthNet fee-for-service program

From General Revenue Fund (0101)	\$242,525
From Title XIX - Federal Fund (0163).....	<u>84,139,296</u>
Total.....	\$84,381,821

SECTION 11.815. — To the Department of Social Services

For the MO HealthNet Division

For medical benefits for blind individuals ineligible for MO HealthNet coverage who receive the Missouri Blind Pension cash grant, provided that individuals under this section shall pay the following premiums to be eligible to receive such services: zero percent on the amount of a family's income which is less than 150 percent of the federal poverty level; four percent on the amount of a family's income which is less than 185 percent of the federal poverty level but greater than or equal to 150 percent of the federal poverty level; eight percent of the amount on a family's income which is less than 225 percent of the federal poverty level but greater than or equal to 185 percent of the federal poverty level; fourteen percent on the amount of a family's income which is less than 300 percent of the federal poverty level but greater than or equal to 225 percent of the federal poverty level not to exceed five percent of total income; families with an annual income equal to or greater than 300 percent of the federal poverty level are ineligible for this program, and further provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825, and further provided three percent (3%) flexibility is allowed from this section to Section 11.950

From General Revenue Fund (0101)	\$20,311,906
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SECTION 11.825. — To the Department of Social Services

For the MO HealthNet Division

For program distributions related to Section 36(c) of Article IV of the Missouri Constitution, and provided ten percent (10%) flexibility is allowed between this section and Sections 11.700, 11.715, 11.720, 11.725, 11.730, 11.745, 11.755, 11.760, 11.765, 11.785, 11.800, 11.805, 11.815, and 11.825

From FMAP Enhancement - Expansion Fund (2466)	\$236,195,649
From Title XIX - Adult Expansion Federal Fund (0358)	2,245,660,096
From Pharmacy Reimbursement Allowance Fund (0144)	355,785
From Nursing Facility Reimbursement Allowance Fund (0196).....	28,411
From Ambulance Service Reimbursement Allowance Fund (0958)	461,068

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Federal Reimbursement Allowance Fund (0142).....	12,476,846
Total.....	\$2,495,177,855

SECTION 11.830. — To the Department of Social Services

For the MO HealthNet Division

For medical and health related services performed by any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital

From General Revenue Fund (0101)	\$0
From Federal and Other Funds (Various).....	0
Total.....	\$0

SECTION 11.850. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue

Fund for the purpose of providing the state match for Medicaid payments

From Department of Social Services Intergovernmental Transfer

Fund (0139).....	\$137,074,165
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SECTION 11.855. — To the Department of Social Services

For the MO HealthNet Division

For payments to the Department of Mental Health for Community Psychiatric Rehabilitation (CPR) services, Comprehensive Substance Abuse Treatment and Rehabilitation (CSTAR) services, Targeted Case Management (TCM) for behavioral health services, and Certified Community Behavioral Health Organizations (CCBHO) for MO HealthNet participants and the uninsured

From Title XIX - Federal Fund (0163).....	\$500,077,646
From Department of Social Services Intergovernmental Transfer Fund (0139).....	207,740,879
Total.....	\$707,818,525

SECTION 11.860. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Pharmacy

Reimbursement Allowance Fund

From General Revenue Fund (0101)	\$38,737,111
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SECTION 11.865. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue

Fund

From Pharmacy Reimbursement Allowance Fund (0144)	\$38,737,111
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SECTION 11.870. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Ambulance

Service Reimbursement Allowance Fund

From General Revenue Fund (0101)	\$20,837,332
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 11.875. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Ambulance Service Reimbursement Allowance Fund (0958).....\$20,837,332

SECTION 11.880. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Federal Reimbursement Allowance Fund

From General Revenue Fund (0101).....\$718,701,378

SECTION 11.885. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Federal Reimbursement Allowance Fund (0142).....\$718,701,378

SECTION 11.890. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Nursing Facility Reimbursement Allowance Fund

From General Revenue Fund (0101).....\$210,950,510

SECTION 11.895. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Nursing Facility Reimbursement Allowance Fund (0196).....\$210,950,510

SECTION 11.900. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Nursing Facility Quality of Care Fund in accordance with Section 198.418.1, RSMo, to be used by the Department of Health and Senior Services for conducting inspections and surveys and providing training and technical assistance to facilities licensed under the provisions of Chapter 198

From Nursing Facility Reimbursement Allowance Fund (0196).....\$1,500,000

SECTION 11.905. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Budget Stabilization Fund

From FMAP Enhancement Fund (0181).....\$875,000,000

SECTION 11.910. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Federal Earnings Fund

From CHIP Increased Enhancement Fund (0492)\$2,050,000

SECTION 11.950. — To the Department of Social Services

Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund

From General Revenue Fund (0101)\$1

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

PART 2**SECTION 11.1005.** — To the Department of Social Services

In reference to Sections 11.320, 11.330, 11.335, 11.340, 11.355, 11.360, 11.365, 11.405, 11.755, and 11.785 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2022.

SECTION 11.1010. — To the Department of Social Services

In reference to Sections 11.338 and 11.745 of Part 1 of this act:

No funds shall be expended in furtherance of therapeutic foster care provider rates greater than: \$134.90 per day for level I, \$220.54 per day for level II.

SECTION 11.1015. — To the Department of Social Services

In reference to Sections 11.339 and 11.745 of Part 1 of this act:

No funds shall be expended in furtherance of Qualified Residential Treatment Program (QRTTP) provider rates greater than \$202.39 per day.

SECTION 11.1020. — To the Department of Social Services

In reference to Section 11.715 of Part 1 of this act:

No funds shall be expended in furtherance of physician provider rates greater than the rate in effect on January 1, 2022, except increases for rate setting physician related services at 75% of the state fiscal year 2022 Medicare comparable rate, and except provider rates that may be increased greater than 75% of the state fiscal year 2022 Medicare comparable rates for behavioral health services, preventative services, evaluation and management services, neonatal rates, and further provided originating site fees for telehealth visits be set at \$27.59, and further provided ambulatory surgical centers receive a 15% rate increase over state fiscal year 2022 rates, and further excepting rates for Certified Community Behavioral Health Clinics, for whom no funds shall be expended in furtherance of actuarial rates greater than those approved by the Department of Mental Health.

SECTION 11.1025. — To the Department of Social Services

In reference to Section 11.720 of Part 1 of this act:

No funds shall be expended in furtherance of dental provider rates greater than the rate in effect on January 1, 2022, except increases for rate setting dental services at 80% of the 50th percentile Usual Customary and Reasonable (UCR) comparable rate for state fiscal year 2022.

SECTION 11.1030. — To the Department of Social Services

In reference to Section 11.730 of Part 1 of this act:

No funds shall be expended in furtherance of home health provider rates greater than the rate in effect on January 1, 2022, except increases for rate setting home health services at the 75th percentile of the median quartile of Medicare rates using 2019 cost report data.

SECTION 11.1035. — To the Department of Social Services

In reference to Section 11.745 of Part 1 of this act:

No funds shall be expended in furtherance of rehabilitation and specialty provider rates greater than the rate in effect on January 1, 2022, except increases for rate setting services at 75% of the state fiscal year 2022 Medicare comparable rate, and except provider rates that may be increased greater than 75% of the state fiscal year 2022 Medicare comparable rate for audiology services, optical services, speech therapy services, occupational therapy, physical therapy, ambulance mileage rates, and further provided payments for treat-no-transport services be set at \$252, and further excepting providers of non-emergency medical transportation for MO HealthNet and Department of Mental Health for whom no funds shall be expended in furtherance of provider rates greater than the lower bound actuarial soundness rate, and further excepting providers of hospice care, for whom no funds shall be expended in furtherance of provider rates for routine home care, continuous care, inpatient respite care, and general inpatient care greater than 3.50% above the blended rate in effect on January 1, 2022, and for whom no funds shall be expended in furtherance of rates no greater than 95% of the nursing facility per diem rate for room and board for services provided in a nursing facility.

SECTION 11.1045. — To the Department of Social Services

In reference to Sections 11.760 and 11.762 of Part 1 of this act:

No funds shall be expended in furtherance of managed care contract rates greater than the lower bound actuarial soundness rate.

SECTION 11.1050. — To the Department of Social Services

In reference to Section 11.765 of Part 1 of this act:

No funds shall be expended in furtherance of Psychiatric Residential Treatment Facility (PRTF) provider rates greater than \$417.22 per day.

SECTION 11.1055. — To the Department of Social Services

In reference to Section 11.790 of Part 1 of this act:

No funds shall be expended in furtherance of out-of-state payments greater than the state fiscal year 2021 level.

SECTION 11.1060. — To the Department of Social Services

In reference to all sections except for Section 11.825 in Part 1 of this act:

No funds shall be expended for program distributions related to Section 36(c) of Article IV of the Missouri Constitution.

SECTION 11.1065. — To the Department of Social Services

In reference to Sections 11.765 and 11.790 in Part 1 of this act:

Provided that in-patient Medicaid psychiatric free-standing hospitals have a minimum rate equivalent to the state fiscal year 2022 weighted average of the daily rate.

SECTION 11.1070. — To the Department of Social Services

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 11.2005.** — To the Department of Social Services

In reference to Section 11.330 of Part 1 and Part 2 of this act:

Special expenses for clothing allowances shall be paid at least quarterly.

SECTION 11.2010. — To the Department of Social Services

In reference to Sections 11.760 and 11.762 of Part 1 and Part 2 of this act:

Contract changes shall be provided in writing, prior to submission to the Centers for Medicare and Medicaid Services, to the House Budget and Senate Appropriation Committee Chairs.

SECTION 11.2015. — To the Department of Social Services

In reference to all sections in Part 1 and Part 2 of this act:

The Department shall provide written notification, prior to submission to the federal government, of state plans and state plan amendments, grant applications, and Medicaid waivers to the House Budget and Senate Appropriation Committee Chairs.

SECTION 11.2020. — To the Department of Social Services

In reference to all sections in Part 1 and Part 2 of this act:

In reference to the Alternative Care Trust Fund (0905), the Department shall provide a quarterly accounting of the money to the parents of the child for whose benefit the funds have been received by the Department; to the guardian ad litem; and to the child, if the child is 15 or older.

SECTION 11.2030. — To the Department of Social Services

In reference to all sections, except Section 11.830, in Part 1 and Part 2 of this act:

No funds shall be expended to any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital.

SECTION 11.2050. — To the Department of Social Services**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
11.010	6	\$90,555	0
11.030	12	\$88,000	0

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

11.050	6	\$1,800	0
11.050	12	\$500	0
11.050	18	\$200	0
11.070	5	\$24,155	0
11.075	19	\$484,182	0
11.105	27	\$2,781,669	0
11.105	28	\$8,345,008	0
11.125	15	\$7,421	0
11.125	16	\$12,369	0
11.130	20	\$47,869	0
11.130	21	\$143,606	0
11.130	45	\$12,310	0
11.135	19	\$1,547,676	0
11.135	20	\$3,724,409	0
11.135	21	\$73,725	0
11.135	22	\$73,728	0
11.142	12	\$850,000	0
11.150	34	\$150,000	0
11.150	44	\$300,000	0
11.150	53	\$100,000	0
11.150	71	\$250,000	0
11.150	81	\$100,000	0
11.150	89	\$50,000	0
11.150	95	\$500,000	0
11.155	19	\$1,000,000	0
11.155	55	\$250,000	0
11.155	72	\$250,000	0
11.155	79	\$1,000,000	0
11.155	85	\$100,000	0
11.155	91	\$250,000	0
11.155	97	\$1,000,000	0

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

11.195	9	\$93,459,077	0
11.205	15	\$200,000	0
11.230	9	\$3,198	0
11.237	5	\$5,000,000	0
11.240	13	\$450,000	0
11.300	5	\$250,000	0
11.305	6	\$71,553	0
11.305	27	\$250,000	0
11.305	30	\$1,925,000	0
11.317	9	\$450,000	0
11.318	8	\$487,756	0
11.318	11	\$347,915	0
11.325	6	\$5,000,000	0
11.325	8	\$500,000	0
11.325	9	\$500,000	0
11.325	11	\$2,000,000	0
11.325	14	\$2,500,000	0
11.325	16	\$360,064	0
11.405	9	\$660,562	0
11.405	15	\$514,528	0
11.905	4	\$875,000,000	0
11.910	4	\$2,050,000	0

Bill Totals

General Revenue Fund.....\$2,261,871,564
Federal Funds.....8,707,215,917
Other Funds.....3,326,646,641
Total.....\$14,295,734,122

Approved June 30, 2022

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

CCS SS SCS HCS HB 3012

Appropriates money for expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, the Office of the State Public Defender, and the General Assembly

AN ACT to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated, for the period beginning July 1, 2022 and ending June 30, 2023 as follows:

PART 1

SECTION 12.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarifications of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act contains an appendix of appropriations consisting of one-time new decision items for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The amount(s) in the appendix will not be considered an addition to any ongoing core appropriation(s) in future fiscal periods beyond

June 30, 2023. The amount(s) in the appendix may, however, be requested in any future fiscal period as a new decision item.

SECTION 12.005. — To the Governor

Personal Service and/or Expense and Equipment	\$2,838,107
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>3,346</u>
From General Revenue Fund (0101)	2,841,453

Personal Service and/or Expense and Equipment	
From DOLIR Administrative Fund (0122)	57,483
From Department of Mental Health Federal Fund (0148)	3,848
From Division of Tourism Supplemental Revenue Fund (0274)	27,378
From Gaming Commission Fund (0286)	7,371
From DNR Cost Allocation Fund (0500)	45,931
From State Facility Maintenance and Operation Fund (0501)	20,268
From DCI Administrative Fund (0503).....	15,613
From Department of Economic Development Administrative Fund (0547)	33,921
From Division of Finance Fund (0550)	7,451
From Insurance Dedicated Fund (0566)	12,576
From Professional Registration Fees Fund (0689)	43,207
From Agriculture Protection Fund (0970).....	39,815

Personal Service and/or Expense and Equipment for the Mansion	
From General Revenue Fund (0101)	<u>303,119</u>
Total (Not to exceed 36.50 F.T.E.)	\$3,459,434

SECTION 12.010. — To the Governor

For expenses incident to emergency duties performed by the National Guard when ordered out by the Governor

From General Revenue Fund (0101)	\$4,000,001
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SECTION 12.015. — To the Governor

For conducting special audits

From General Revenue Fund (0101)	\$30,000
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SECTION 12.025. — To the Lieutenant Governor

Personal Service and/or Expense and Equipment	\$813,787
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>2,162</u>
From General Revenue Fund (0101)	815,949

Personal Service and/or Expense and Equipment	
From Missouri Arts Council Trust Fund (0262)	41,233

For a library and museum, located in a city with more than one hundred five thousand but fewer than one hundred twenty-five thousand inhabitants, which promotes awareness and presidents from Missouri

From General Revenue Fund (0101)	2,000,000
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For agritourism road sign cost-share grants	
From General Revenue Fund (0101)	500,000
Total (Not to exceed 8.00 F.T.E.)	\$3,357,182

SECTION 12.030. — To the Lieutenant Governor

For the Missouri State Council on the Arts, provided ten percent (10%) flexibility is allowed between personal service and expense and equipment Expense and Equipment	
From Department of Economic Development - Missouri Council on the Arts	
Federal Fund (0138)	\$1,205,344
Personal Service	1,029,848
Expense and Equipment	5,812,474
From Missouri Arts Council Trust Fund (0262)	6,842,322
For grants to public television and radio stations as provided in Section 143.183, RSMo	
From Missouri Public Broadcasting Corporation Special Fund (0887)	1,335,000
For the Missouri Humanities Council	
Expense and Equipment	
From the Missouri Humanities Council Trust Fund (0177)	1,585,000
For a museum located in a city not within a county that collects, preserves, and shares the stories, culture, and history of black people with a focus on those with a regional connection to a city not within a county	
From Missouri Humanities Council Trust Fund (0177)	150,000
For a museum that commemorates the contributions of African-Americans to the sport of baseball, provided that \$100,000 fund the Historical Education Center	
Expense and Equipment	
From Missouri Humanities Council Trust Fund (0177)	600,000
For an Urban Academy, located within a home rule city with more than 400,000 inhabitants and located in more than one county, which provides athletic programming targeting underserved youth	
From Missouri Humanities Council Trust Fund (0177)	200,000
For a grant to support the renovation and improvements of a nonprofit, volunteer-driven theatre organization located in any city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants	
From Missouri Humanities Council Trust Fund (0177)	2,250,000
For a grant to support the renovation of a holocaust museum and learning center located in any county with more than one million inhabitants that has been in operation for more than fifteen years	
From Missouri Humanities Council Trust Fund (0177)	750,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For grants to nonprofit repertory theaters to enhance and expand services to the communities	
From Missouri Humanities Council Trust Fund (0177)	3,000,000
For a grant to any village with more than fifty but fewer than sixty inhabitants and located in any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants for improvements to an old schoolhouse used for community functions	
From Missouri Humanities Council Trust Fund (0177)	2,000,000
For a nonprofit organization located in any city with more than four hundred thousand inhabitants and located in more than one county that focuses on enriching and inspiring dance experiences	
From Missouri Humanities Council Trust Fund (0177)	650,000
Total (Not to exceed 15.00 F.T.E.)	\$20,567,666

SECTION 12.035. — To the Lieutenant Governor

Funds are to be transferred out of the State Treasury to the Missouri Arts Council Trust Fund as authorized by Sections 143.183 and 185.100, RSMo	
From General Revenue Fund (0101)	\$6,882,443

SECTION 12.040. — To the Lieutenant Governor

Funds are to be transferred out of the State Treasury to the Missouri Humanities Council Trust Fund as authorized by Sections 143.183 and 186.065, RSMo	
From General Revenue Fund (0101)	\$11,185,000

SECTION 12.045. — To the Lieutenant Governor

Funds are to be transferred out of the State Treasury to the Missouri Public Broadcasting Corporation Special Fund as authorized by Section 143.183, RSMo	
From General Revenue Fund (0101)	\$1,125,000

SECTION 12.055. — To the Secretary of State

Personal Service and/or Expense and Equipment	\$10,223,313
Annual salary adjustment in accordance with Section 105.005, RSMo.....	2,694
From General Revenue Fund (0101)	10,226,007
Personal Service and/or Expense and Equipment	
From Election Administration Improvements Fund (0157)	313,578
From Secretary of State - Federal Fund (0195).....	444,467
From Secretary of State's Technology Trust Fund Account (0266)	3,584,159
From Local Records Preservation Fund (0577)	1,481,807
From Investor Education and Protection Fund (0829)	1,297,559
From Wolfner Library Trust Fund (0928).....	30,000
Total (Not to exceed 267.30 F.T.E.)	\$17,377,577

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SECTION 12.060. — To the Secretary of State

For the purpose of receiving and expending grants, donations, contracts, and payments from private, federal, or other governmental agencies provided that the General Assembly shall be notified of the source of any new funds and the purpose for which they will be expended, in writing, prior to the expenditure of said funds

From Secretary of State - Federal Fund (0166)..... \$200,000

SECTION 12.065. — To the Secretary of State

For refunds of securities, corporations, uniform commercial code, and miscellaneous collections of the Secretary of State's Office

From General Revenue Fund (0101) \$50,000

From Secretary of State's Technology Trust Fund Account (0266) 10,000

Total..... \$60,000

SECTION 12.070. — To the Secretary of State

For reimbursement to victims of securities fraud and other violations pursuant to Section 409.6-603, RSMo

From Investor Restitution Fund (0741) \$2,000,000

SECTION 12.075. — To the Secretary of State

For implementation of the Missouri Family Trust Company Act

From Family Trust Company Fund (0810) \$20,000

SECTION 12.080. — To the Secretary of State

For expenses of initiative referendum and constitutional amendments, provided ten percent (10%) flexibility is allowed from this section to Section 12.115

From General Revenue Fund (0101) \$5,250,001

SECTION 12.085. — To the Secretary of State

For election costs associated with absentee ballots

From General Revenue Fund (0101) \$200,000

SECTION 12.090. — To the Secretary of State

For election reform grants, transactions costs, election administration improvements within Missouri, support of Help America Vote Act activities, and the state's share of election costs as required by Chapter 115, RSMo

From General Revenue Fund (0101) \$900,000

From Election Administration Improvements Fund (0157) 22,350,495

Total..... \$23,250,495

SECTION 12.095. — To the Secretary of State

Funds are to be transferred out of the State Treasury to the Election Administration Improvements Fund

From General Revenue Fund (0101) \$10,584,000

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Matter in bold-face type is proposed language.

SECTION 12.100. — To the Secretary of State
 For historical repository grants
 From Secretary of State Records - Federal Fund (0150) \$50,000

SECTION 12.105. — To the Secretary of State
 For local records preservation grants
 From Local Records Preservation Fund (0577) \$400,000

SECTION 12.110. — To the Secretary of State
 For preserving legal, historical, and genealogical materials and making them
 available to the public
 From State Document Preservation Fund (0836) \$25,000

SECTION 12.115. — To the Secretary of State
 For aid to public libraries
 From General Revenue Fund (0101) \$4,504,001

SECTION 12.120. — To the Secretary of State
 For the Remote Electronic Access for Libraries Program
 From General Revenue Fund (0101) \$3,109,250

SECTION 12.125. — To the Secretary of State
 For all allotments, grants, and contributions from the federal government or from
 any sources that may be deposited in the State Treasury for the use of the
 Missouri State Library
 From Secretary of State - Federal Fund (0195) \$4,125,000
 From Secretary of State Federal Stimulus - 2021 Fund (2448) 3,340,336
 Total \$7,465,336

SECTION 12.130. — To the Secretary of State
 For library networking grants and other grants and donations
 From Library Networking Fund (0822) \$3,350,000

SECTION 12.135. — To the Secretary of State
 Funds are to be transferred out of the State Treasury to the Library
 Networking Fund
 From General Revenue Fund (0101) \$3,250,000

SECTION 12.140. — To the Secretary of State
 For the publication of the Official Manual of Missouri by the University of
 Missouri Press, provided that all copies are sold at cost and proceeds are
 deposited into the Blue Book Printing Fund
 From Blue Book Printing Fund (0471) \$50,000

SECTION 12.165. — To the State Auditor
 Personal Service and/or Expense and Equipment \$7,194,865
 Annual salary adjustment in accordance with Section 105.005, RSMo 2,694
 From General Revenue Fund (0101) 7,197,559

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Personal Service and/or Expense and Equipment	
From State Auditor - Federal Fund (0115)	995,831
From Conservation Commission Fund (0609)	53,338
From Parks Sales Tax Fund (0613).....	25,336
From Soil and Water Sales Tax Fund (0614)	24,453
From Petition Audit Revolving Trust Fund (0648)	<u>967,857</u>
Total (Not to exceed 167.77 F.T.E.)	\$9,264,374

SECTION 12.185. — To the State Treasurer

Personal Service and/or Expense and Equipment	\$2,915,218
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>2,694</u>
From State Treasurer's General Operations Fund (0164).....	2,917,912

Personal Service and/or Expense and Equipment	
From Central Check Mailing Service Revolving Fund (0515)	114,112

For Unclaimed Property Division administrative costs including personal service and expense and equipment for auctions, advertising, and promotions	
From Abandoned Fund Account (0863)	2,303,213

For the Missouri Empowerment Scholarship Accounts Program	
From Missouri Empowerment Scholarship Accounts Fund (0278)	1,012,899

For preparation and dissemination of information or publications, or for refunding overpayments	
From Treasurer's Information Fund (0255).....	<u>8,000</u>
Total (Not to exceed 54.40 F.T.E.)	\$6,356,136

SECTION 12.190. — To the State Treasurer

For issuing duplicate checks or drafts and outlawed checks as provided by law	
From General Revenue Fund (0101)	\$13,000,000

SECTION 12.195. — To the State Treasurer

For payment of claims for abandoned property transferred by holders to the state	
From Abandoned Fund Account (0863)	\$58,000,000

SECTION 12.200. — To the State Treasurer

For transfer of such sums as may be necessary to make payment of claims from the Abandoned Fund Account pursuant to Chapter 447, RSMo	
From General Revenue Fund (0101)	\$17,500,000

SECTION 12.205. — To the State Treasurer

Funds are to be transferred out of the State Treasury to the General Revenue Fund	
From Abandoned Fund Account (0863)	\$68,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 12.210. — To the State Treasurer

For refunds of excess interest from the Linked Deposit Program

From General Revenue Fund (0101) \$2,500

SECTION 12.215. — To the State Treasurer

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Debt Offset Escrow Fund (0753)..... \$100,000

SECTION 12.220. — To the State Treasurer

Funds are to be transferred out of the State Treasury to the General Revenue Fund

From Other Funds (Various) \$3,000,000

SECTION 12.225. — To the State Treasurer

Funds are to be transferred out of the State Treasury to the State Public School Fund

From Abandoned Fund Account (0863) \$3,000,000

SECTION 12.245. — To the Attorney General

Personal Service and/or Expense and Equipment \$14,971,287

Annual salary adjustment in accordance with Section 105.005, RSMo..... 2,912

From General Revenue Fund (0101) 14,974,199

Personal Service and/or Expense and Equipment

From Attorney General - Federal Fund (0136) 2,921,836

From Gaming Commission Fund (0286) 160,000

From Historic Preservation Revolving Fund (0430) 1,811

From Natural Resources Protection Fund-Water Pollution Permit Fee

Subaccount (0568) 194,364

From Solid Waste Management Fund (0570) 28,725

From Petroleum Storage Tank Insurance Fund (0585) 31,104

From Motor Vehicle Commission Fund (0588) 56,690

From Health Spa Regulatory Fund (0589)..... 5,000

From Natural Resources Protection Fund-Air Pollution Permit Fee

Subaccount (0594) 30,617

From Attorney General's Court Costs Fund (0603)..... 187,000

From Parks Sales Tax Fund (0613)..... 34,000

From Soil and Water Sales Tax Fund (0614) 1,811

From Merchandising Practices Revolving Fund (0631) 4,009,739

From Workers' Compensation Fund (0652)..... 519,335

From Workers' Compensation - Second Injury Fund (0653) 3,419,863

From Lottery Enterprise Fund (0657)..... 65,303

From Groundwater Protection Fund (0660) 1,811

From Antitrust Revolving Fund (0666)..... 694,567

From Hazardous Waste Fund (0676) 169,279

From Safe Drinking Water Fund (0679) 37,603

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From Inmate Incarceration Reimbursement Act Revolving Fund (0828)	156,770
From Mined Land Reclamation Fund (0906)	<u>19,661</u>
Total (Not to exceed 380.05 F.T.E.)	\$27,721,088

SECTION 12.250. — To the Attorney General

For law enforcement, domestic violence, victims' services, sexual assault evidence collection, testing, and tracking in collaboration with the Departments of Public Safety and Social Services through a Memorandum of Understanding (MOU), provided ten percent (10%) flexibility is allowed from this section to Section 12.245 if the Attorney General receives such grant

From Attorney General - Federal Fund (0136) (Not to exceed 5.00 F.T.E.)	\$3,118,011
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SECTION 12.255. — To the Attorney General

For a Safer Streets initiative

Personal Service and/or Expense and Equipment

From General Revenue Fund (0101) (Not to exceed 10.00 F.T.E.)	\$938,940
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SECTION 12.260. — To the Attorney General

For a Medicaid fraud unit

Personal Service and/or Expense and Equipment

From General Revenue Fund (0101)	\$766,749
From Attorney General - Federal Fund (0136)	2,208,960
From MO HealthNet Fraud Prosecution Revolving Fund (0252)	<u>284,598</u>
Total (Not to exceed 29.00 F.T.E.)	\$3,260,307

SECTION 12.265. — To the Attorney General

For the Missouri Office of Prosecution Services

Personal Service and/or Expense and Equipment

From General Revenue Fund (0101)	\$203,200
From Missouri Office of Prosecution Services - Federal Fund (0107)	1,165,341
From Missouri Office of Prosecution Services Fund (0680)	2,197,380
From Missouri Office of Prosecution Services Revolving Fund (0844)	161,673

For distribution through the Office of Administration to counties pursuant to

Section 56.700, RSMo

From General Revenue Fund (0101)	<u>143,550</u>
Total (Not to exceed 12.00 F.T.E.)	\$3,871,144

SECTION 12.270. — To the Attorney General

For the fulfillment or failure of conditions, or other such developments, necessary to determine the appropriate disposition of such funds, to those individuals, entities, or accounts within the State Treasury, certified by the Attorney General as being entitled to receive them

From Attorney General Trust Fund (0794)	\$4,000,000
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Matter in bold-face type is proposed language.

SECTION 12.275. — To the Attorney General

Funds are to be transferred out of the State Treasury to the Attorney
General's Court Costs Fund

From General Revenue Fund (0101) \$124,200

SECTION 12.280. — To the Attorney General

Funds are to be transferred out of the State Treasury to the Antitrust
Revolving Fund

From General Revenue Fund (0101) \$51,750

SECTION 12.300. — To the Supreme Court

For funding Judicial Proceedings and Review, provided twenty-five percent
(25%) flexibility is allowed between personal service and expense and
equipment, and further provided twenty-five percent (25%) flexibility is
allowed between Sections 12.300 through 12.380, excluding Sections
12.325 and 12.375

Personal Service..... \$3,496,339

Expense and Equipment..... 1,089,792

From General Revenue Fund (0101) 4,586,131

Personal Service

From Judiciary - Federal Fund (0137) 574,963

Expense and Equipment

From Supreme Court Publications Revolving Fund (0525) 151,352

Total (Not to exceed 76.00 F.T.E.) \$5,312,446

SECTION 12.305. — To the Supreme Court

For the salaries of Supreme Court Judges and Chief Justice

Personal Service..... \$1,224,131

Annual salary adjustment in accordance with Section 476.405, RSMo..... 28,704

From General Revenue Fund (0101) (Not to exceed 7.00 F.T.E.) \$1,252,835

SECTION 12.310. — To the Supreme Court

For funding the State Courts Administrator and implementing and supporting an
integrated case management system, provided twenty-five percent (25%)
flexibility is allowed between personal service and expense and equipment,
and further provided twenty-five percent (25%) flexibility is allowed
between Sections 12.300 through 12.380, excluding Sections 12.325 and
12.375

Personal Service..... \$8,914,919

Expense and Equipment..... 6,859,684

From General Revenue Fund (0101) 15,774,603

Expense and Equipment

From State Court Administration Revolving Fund (0831) 60,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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Expense and Equipment	
From Crime Victims' Compensation Fund (0681)	887,200
Total (Not to exceed 156.50 F.T.E.)	\$16,721,803

SECTION 12.315. — To the Supreme Court

For funding court improvement projects and receiving grants and contributions of funds from the federal government or from any other source which may be deposited into the State Treasury for use of the Supreme Court and other state courts, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375

Personal Service.....	\$2,684,510
Expense and Equipment.....	5,614,878
From Judiciary - Federal Fund (0137)	8,299,388

Personal Service.....	103,898
Expense and Equipment.....	4,866
Program Specific Distribution	5,000,000
From Basic Civil Legal Services Fund (0757)	5,108,764
Total (Not to exceed 48.25 F.T.E.)	\$13,408,152

SECTION 12.320. — To the Supreme Court

For funding the development and implementation of a program of statewide court automation, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.305, 12.325, 12.335, 12.340, 12.350 and 12.375

Expense and Equipment	
From General Revenue Fund (0101)	\$2,000,000

Personal Service.....	1,836,711
Expense and Equipment.....	3,630,844
From Statewide Court Automation Fund (0270)	5,467,555
Total (Not to exceed 34.00 F.T.E.)	\$7,467,555

SECTION 12.325. — To the Supreme Court

Funds are to be transferred out of the State Treasury to the Judiciary

Education and Training Fund

From General Revenue Fund (0101)	\$1,973,249
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SECTION 12.330. — To the Supreme Court

For Judicial Education and Training, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed

between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375	
Personal Service.....	\$658,460
Expense and Equipment.....	<u>862,364</u>
From Judiciary Education and Training Fund (0847)	1,520,824
Expense and Equipment	
From Judiciary - Federal Fund (0137)	<u>229,911</u>
Total (Not to exceed 11.00 F.T.E.)	\$1,750,735

SECTION 12.335. — To the Supreme Court

For funding the three (3) Courts of Appeals, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375

Personal Service.....	\$6,867,711
Expense and Equipment.....	<u>1,255,030</u>
From General Revenue Fund (0101) (Not to exceed 129.85 F.T.E.)	\$8,122,741

SECTION 12.340. — To the Supreme Court

For the salaries of Appeals Court Judges

Personal Service.....	\$5,083,142
Annual salary adjustment in accordance with Section 476.405, RSMo.....	<u>119,136</u>
From General Revenue Fund (0101) (Not to exceed 32.00 F.T.E.)	\$5,202,278

***SECTION 12.345.** — To the Supreme Court

For funding the Circuit Courts, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375

Personal Service.....	\$101,636,575
Annual salary adjustment in accordance with Section 476.405, RSMo.....	<u>2,124,117</u>
Expense and Equipment.....	<u>4,935,522</u>
From General Revenue Fund (0101)	108,696,214

Personal Service.....	4,522,583
Expense and Equipment.....	<u>1,831,830</u>
From Judiciary - Federal Fund (0137)	6,354,413

Personal Service.....	308,917
Expense and Equipment.....	<u>128,039</u>
From Third Party Liability Collections Fund (0120)	436,956

Expense and Equipment	
From State Court Administration Revolving Fund (0831)	170,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the payment to counties for salaries of juvenile court personnel as provided
by the formula in Sections 211.393 and 211.394, RSMo
From General Revenue Fund (0101) 17,767,376

For the payment to counties pursuant to Section 211.435, RSMo
From Juvenile Justice Preservation Fund (0739) 2,500,000

For making payments due from litigants in court proceedings under set-off
against debts authority as provided in Section 488.020(3), RSMo, provided
twenty-five percent (25%) flexibility is allowed between Sections 12.300
through 12.380, excluding Sections 12.305, 12.325, 12.335, 12.340, 12.350
and 12.375
From Circuit Courts Escrow Fund (0718)..... 4,079,958
Total (Not to exceed 2,596.70 F.T.E.) \$140,004,917

*I hereby veto \$2,446 general revenue to support an additional associate circuit judge for the 11th
judicial circuit. This funding was not part of my budget recommendations and was not included
in the judiciary's budget request.

Expense and Equipment by \$2,446 from \$4,935,522 to \$4,933,076 from General Revenue Fund.
From \$108,696,214 to \$108,693,768 in total from General Revenue Fund.
From \$140,004,917 to \$140,002,471 in total for the section.

MICHAEL L. PARSON
GOVERNOR

***SECTION 12.350.** — To the Supreme Court

For the salaries of the Circuit Court Judges, Associate Circuit Court Judges,
Senior Judges, Probate Commissioners, Deputy Probate Commissioners,
Treatment Court Commissioners, and Family Court Commissioners
Personal Service..... \$55,746,468
Annual salary adjustment in accordance with Section 476.405, RSMo..... 1,283,005
From General Revenue Fund (0101) (Not to exceed 393.00 F.T.E.) \$57,029,473

*I hereby veto \$150,035 general revenue to support an additional associate circuit judge for the
11th circuit. This funding was not part of my budget recommendations and was not included in the
judiciary's budget request.

Personal Service by \$150,035 from \$55,746,468 to \$55,596,433 from General Revenue Fund.
From \$57,029,473 to \$56,879,438 in total from General Revenue Fund.
From \$57,029,473 to \$56,879,438 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 12.355. — To the Supreme Court

For funding the court-appointed special advocacy program statewide office
From General Revenue Fund (0101) \$880,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For funding court-appointed special advocacy programs as provided in Section 476.777, RSMo
 From Missouri CASA Fund (0590) 100,000
 Total..... \$980,000

SECTION 12.360. — To the Supreme Court

For funding costs associated with creating the handbook and other programs as provided in Section 452.554, RSMo, provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.305, 12.325, 12.335, 12.340, 12.350 and 12.375
 From Domestic Relations Resolution Fund (0852) \$300,000

SECTION 12.365. — To the Commission on Retirement, Removal, and Discipline of Judges

For funding the expenses of the Commission, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment, and further provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375
 Personal Service..... \$319,987
 Expense and Equipment..... 43,372
 From General Revenue Fund (0101) (Not to exceed 2.75 F.T.E.) \$363,359

SECTION 12.370. — To the Supreme Court

For funding the expenses of the members of the Appellate Judicial Commission and the several circuit judicial commissions in circuits having the non-partisan court plan, and for services rendered by clerks of the Supreme Court, courts of appeals, and clerks in circuits having the non-partisan court plan for giving notice of and conducting elections as ordered by the Supreme Court, provided twenty-five percent (25%) flexibility is allowed between Sections 12.300 through 12.380, excluding Sections 12.325 and 12.375
 From General Revenue Fund (0101) \$7,741

SECTION 12.375. — To the Supreme Court

Funds are to be transferred out of the State Treasury to the Treatment Court Resources Fund
 From General Revenue Fund (0101) \$12,019,077

SECTION 12.380. — To the Supreme Court

For funding treatment courts
 Personal Service..... \$343,896
 Expense and Equipment..... 10,579,520

For funding treatment programs focused on medication assisted treatment for Missourians with substance use disorder related to alcohol and opioid addiction. The Treatment Courts Coordinating Commission shall enter into

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agreements with drug courts, DWI courts, veteran's courts, and other treatment courts of this state in order to fund medication assisted treatment programs. The Treatment Courts Coordinating Commission shall submit an annual report to both the Chairperson of the House Budget Committee and the Chairperson of the Senate Appropriations Committee that includes information concerning the contracts entered into and the impact of the medication assisted treatment programs on rate of recidivism

Expense and Equipment.....	1,000,000
From Treatment Court Resources Fund (0733) (Not to exceed 6.00 F.T.E.).....	\$11,923,416

SECTION 12.400. — To the Office of the State Public Defender

For funding the State Public Defender System

Personal Service and/or Expense and Equipment.....	\$52,490,152
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For payment of expenses as provided by Chapter 600, RSMo, associated with the defense of violent crimes and/or the contracting of criminal representation with entities outside of the Missouri

Public Defender System.....	4,721,071
From General Revenue Fund (0101).....	57,211,223

For expenses authorized by the Public Defender Commission as provided by

Section 600.090, RSMo

Personal Service.....	151,670
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Expense and Equipment.....	3,367,506
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From Legal Defense and Defender Fund (0670)	3,519,176
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For refunds set-off against debts as required by Section 143.786, RSMo

From Debt Offset Escrow Fund (0753).....	2,450,000
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For all grants and contributions of funds from the federal government or from any other source which may be deposited in the State Treasury for the use of the Office of the State Public Defender

From Office of State Public Defender - Federal Fund (0112)	1,125,000
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Total (Not to exceed 696.13 F.T.E.)	\$64,305,399
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***SECTION 12.500.** — To the Senate

Salaries of Members	\$1,241,876
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Annual salary adjustment in accordance with Section 105.005, RSMo.....	30,532
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Mileage of Members	115,085
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Members' Per Diem	314,151
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Senate Contingent Expenses	12,479,617
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Joint Contingent Expenses	225,000
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From General Revenue Fund (0101)	14,406,261
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Senate Contingent Expenses

From Senate Revolving Fund (0535).....	40,000
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Total (Not to exceed 224.54 F.T.E.)	\$14,446,261
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

*I hereby veto \$225,000 general revenue and three security staff for the Senate. This item was not part of my recommendations and unnecessarily duplicates services already provided by the Capitol Police at the Capitol Building as directed by Section 8.177, RSMo. This law requires Missouri Capitol Police Officers to maintain order and preserve the peace in all state-owned and leased buildings, including the Capitol Complex. The final budget adopted by the General Assembly includes six additional Capitol Police positions which include four officers and two dispatchers. Duplication of security staff within the Capitol Building can have catastrophic outcomes if a critical incident were to occur in the Capitol Building, including not having a clear chain of command, lack of coordinated communication, and fragmented response. Through the Office of Administration, my administration has been working to improve safety and security at state-owned and leased facilities across the state to ensure the safety of all state team members, elected officials, contractors, visitors, and constituents. My administration will continue to work with House and Senate leadership to address the security needs of each chamber at the Capitol Complex.

Senate Contingent Expenses by \$225,000 from \$12,479,617 to \$12,254,617 from General Revenue Fund.

From \$14,406,261 to \$14,181,261 in total from General Revenue Fund.

From \$14,446,261 to \$14,221,261 in total for the section.

MICHAEL L. PARSON
GOVERNOR

***SECTION 12.505.** — To the House of Representatives

Salaries of Members	\$5,934,332
Annual salary adjustment in accordance with Section 105.005, RSMo.....	146,374
Mileage of Members	567,325
Members' Per Diem.....	1,538,598
Representatives' Expense Vouchers	1,419,896
House Contingent Expenses	<u>15,790,417</u>
From General Revenue Fund (0101)	25,396,942

House Contingent Expenses
From House of Representatives Revolving Fund (0520) 45,000

For redistricting requirements
From General Revenue Fund (0101) 86,356
Total (Not to exceed 439.38 F.T.E.) \$25,528,298

*I hereby veto \$225,000 general revenue and three security staff for the House of Representatives. This item was not part of my recommendations and unnecessarily duplicates services already provided by the Capitol Police at the Capitol Building as directed by Section 8.177, RSMo. This law requires Missouri Capitol Police Officers to maintain order and preserve the peace in all state-owned and leased buildings, including the Capitol Complex. The final budget adopted by the General Assembly includes six additional Capitol Police positions which include four officers and two dispatchers. Duplication of security staff within the Capitol Building can have catastrophic outcomes if a critical incident were to occur in the Capitol Building, including not having a clear chain of command, lack of coordinated communication, and fragmented response. Through the

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Office of Administration, my administration has been working to improve safety and security at state-owned and leased facilities across the state to ensure the safety of all state team members, elected officials, contractors, visitors, and constituents. My administration will continue to work with House and Senate leadership to address the security needs of each chamber at the Capitol Complex.

House Contingent Expenses by \$225,000 from \$15,790,417 to \$15,565,417 from General Revenue Fund.

From \$25,396,942 to \$25,171,942 in total from General Revenue Fund.

From \$25,528,298 to \$25,303,298 in total for the section.

MICHAEL L. PARSON
GOVERNOR

***SECTION 12.510.** — To the House of Representatives

For payment of organizational dues

From General Revenue Fund (0101) \$306,631

*I hereby veto \$12,000 general revenue for the payment of organizational dues. This item was not part of my budget recommendations. Previous efforts to learn from other states regarding gaming policies have culminated in multiple legislative bills that have been proposed and debated by the General Assembly over the past few years. Resources for gaming policy are available to policymakers interested in the topic, and include membership to other organizations such as the National Conference of State Legislatures and the Council of State Governments. Accordingly, this organizational membership is duplicative of other memberships that Missouri taxpayers already pay for.

For payment of organization dues by \$12,000 from \$306,631 to \$294,631 from General Revenue Fund.

From \$306,631 to \$294,631 in total from General Revenue Fund.

From \$306,631 to \$294,631 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 12.515. — To the Committee on Legislative Research

For payment of expenses of members, salaries and expenses of employees, and other necessary operating expenses, provided twenty-five percent (25%) flexibility is allowed between personal service and expense and equipment

For the Legislative Research Administration \$531,678

For the Oversight Division 1,439,530

From General Revenue Fund (0101) (Not to exceed 26.00 F.T.E.) \$1,971,208

SECTION 12.520. — To the Committee on Legislative Research

For paper, printing, binding, editing, proofreading, and other necessary expenses of publishing the Supplement to the Revised Statutes of the State of Missouri

From Statutory Revision Fund (0546) (Not to exceed 1.25 F.T.E.) \$297,122

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SECTION 12.525. — To the Joint Committees of the General Assembly

For the Joint Committee on Administrative Rules.....	\$154,577
For the Joint Committee on Public Employee Retirement.....	188,560
For the Joint Committee on Education	84,114
From General Revenue Fund (0101) (Not to exceed 6.00 F.T.E.)	\$427,251

PART 2**SECTION 12.600.** — To the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Office of Prosecution Services, Supreme Court, Commission on Retirement, Removal, and Discipline of Judges, Office of the State Public Defender, Senate, House of Representatives, Committee on Legislative Research, and Joint Committees of the General Assembly

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 12.700.** — To the Lieutenant Governor, Secretary of State, Judiciary, Office of the State Public Defender, Senate, and House of Representatives**Appendix of One-time Appropriations**

Section	Line	Amount	F.T.E. Amount
12.025	10	\$2,000,000	0
12.030	34	\$2,250,000	0
12.030	38	\$750,000	0
12.030	41	\$3,000,000	0
12.030	47	\$2,000,000	0
12.030	51	\$650,000	0
12.040	5	\$8,650,000	0
12.080	5	\$5,250,000	0
12.085	3	\$130,000	0
12.090	6	\$900,000	0
12.095	4	\$6,300,000	0
12.335	8	\$3,668	0
12.345	9	\$5,502	0
12.400	3	\$75,969	0
12.500	6	\$37,500	0

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12.505	7	\$582,500	0
12.515	7	\$60,000	0

Elected Officials Totals

General Revenue Fund.....	\$122,606,371
Federal Funds.....	42,443,047
Other Funds.....	<u>90,245,667</u>
Total.....	\$255,295,085

Judiciary Totals

General Revenue Fund.....	\$235,675,077
Federal Funds.....	15,458,675
Other Funds.....	<u>15,187,327</u>
Total.....	\$266,321,079

Public Defender Totals

General Revenue Fund.....	\$57,211,223
Federal Funds.....	1,125,000
Other Funds.....	<u>3,519,176</u>
Total.....	\$61,855,399

General Assembly Totals

General Revenue Fund.....	\$42,594,649
Other Funds.....	<u>382,122</u>
Total.....	\$42,976,771

Approved June 30, 2022

CCS SCS HCS HB 3013

Appropriates money for real property leases, related services, utilities, systems furniture, structural modifications and related expenses for the several departments of state government

AN ACT to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division,

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agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever chargeable to the fund designated for the period beginning July 1, 2022, and ending June 30, 2023 as follows:

SECTION 13.005. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For the payment of real property leases, utilities, systems furniture, and structural modifications, provided five percent (5%) flexibility is allowed between Section 13.005, 13.010, and 13.015, further provided twenty-five percent (25%) flexibility is allowed from Section 13.005 to Section 13.010, further provided five percent (5%) flexibility allowed between and within departments and one hundred percent (100%) between federal funds within this section, and further provided three percent (3%) flexibility is allowed from this section to Section 13.025

For the Department of Elementary and Secondary Education

Expense and Equipment

From General Revenue Fund (0101)	\$498,579
From Vocational Rehabilitation Fund (0104)	1,919,603
From DESE - Federal Fund (0105).....	2,139
From Child Care and Development Block Grant Federal Fund (0168).....	43,917
From Assistive Technology Federal Fund (0188)	41,917
From Deaf Relay Service and Equipment Distribution Program Fund (0559)	29,340
From Assistive Technology Loan Revolving Fund (0889)	12,574

For the Department of Higher Education and Workforce Development

Expense and Equipment

From Job Development and Training Fund (0155)	1,413,093
From Special Employment Security Fund (0949)	214,298

For the Department of Revenue

Expense and Equipment

From General Revenue Fund (0101)	495,930
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For the Department of Revenue

For the State Lottery Commission

Expense and Equipment

From Lottery Enterprise Fund (0657).....	469,310
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For the Office of Administration

Expense and Equipment

From General Revenue Fund (0101)	531,900
From State Facility Maintenance and Operation Fund (0501).....	324,244
From OA Revolving Administrative Trust Fund (0505)	140,395

For the Ethics Commission

Expense and Equipment

From General Revenue Fund (0101)	70,174
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For the Department of Agriculture

Expense and Equipment

From General Revenue Fund (0101)	249,013
From Department of Agriculture Federal Fund (0133)	3,643
From Grain Inspection Fee Fund (0647)	73,397
From Petroleum Inspection Fund (0662)	8,395
From Agriculture Protection Fund (0970)	1,067

For the Department of Natural Resources

Expense and Equipment

From General Revenue Fund (0101)	454,024
From DNR - Federal Fund (0140)	358,228
From Missouri Air Emission Reduction Fund (0267)	23,708
From State Park Earnings Fund (0415)	87,896
From Historic Preservation Revolving Fund (0430)	28,802
From DNR Cost Allocation Fund (0500)	93,440
From Natural Resources Protection Fund (0555)	9,202
From Natural Resources Protection Fund - Water Pollution Permit Fee Subaccount (0568)	103,461
From Solid Waste Management Fund - Scrap Tire Subaccount (0569)	30,379
From Solid Waste Management Fund (0570)	153,280
From Natural Resources Protection Fund - Air Pollution Asbestos Fee Subaccount (0584)	17,076
From Petroleum Storage Tank Insurance Fund (0585)	36,799
From Underground Storage Tank Regulation Program Fund (0586)	11,028
From Natural Resources Protection Fund - Air Pollution Permit Fee Subaccount (0594)	294,672
From Parks Sales Tax Fund (0613)	134,837
From Hazardous Waste Fund (0676)	147,145
From Safe Drinking Water Fund (0679)	104,977

For the Department of Economic Development

Expense and Equipment

From General Revenue Fund (0101)	2,126
From Division of Tourism Supplemental Revenue Fund (0274)	5,201

For the Department of Commerce and Insurance

Expense and Equipment

From General Revenue Fund (0101)	77,930
From Division of Finance Fund (0550)	63,156
From Insurance Examiners Fund (0552)	6,781
From Insurance Dedicated Fund (0566)	6,908
From Manufactured Housing Fund (0582)	23,082
From Public Service Commission Fund (0607)	908,678
From Professional Registration Fees Fund (0689)	8,054

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For the Department of Labor and Industrial Relations

Expense and Equipment

From General Revenue Fund (0101)	6,614
From DOLIR - Commission on Human Rights - Federal Fund (0117).....	11,614
From DOLIR Administrative Fund (0122)	4,478
From Unemployment Compensation Administration Fund (0948)	83,539
From Workers' Compensation Fund (0652)	408,565

For the Department of Public Safety

Expense and Equipment

From General Revenue (0101)	7,234
From State Emergency Management - Federal Fund (0145).....	8,382
From State Emergency Management Federal Stimulus Fund (2335).....	7,226
From Department of Health and Senior Services Federal Stimulus Fund (2350).....	188,000
From Veterans' Commission Capital Improvement Trust Fund (0304)	293,790
From Division of Alcohol and Tobacco Control Fund (0544)	118,534

For the Department of Public Safety

For the State Highway Patrol

Expense and Equipment

From General Revenue Fund (0101)	203,909
From Department of Public Safety - Federal Fund (0152)	8,949
From State Highways and Transportation Department Fund (0644)	1,240,447

For the Department of Public Safety

For the Adjutant General

Expense and Equipment

From General Revenue Fund (0101)	33,164
From Adjutant General - Federal Fund (0190)	1,773,415
From Federal Drug Seizure - Federal Fund (0194)	28,568

For the Department of Public Safety

For the Missouri Gaming Commission

Expense and Equipment

From Gaming Commission Fund (0286)	447,295
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For the Department of Corrections

Expense and Equipment

From General Revenue Fund (0101)	6,601,176
From Working Capital Revolving Fund (0510)	275,932

For the Department of Mental Health

Expense and Equipment

From General Revenue Fund (0101)	1,963,602
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For the Department of Health and Senior Services

Expense and Equipment

From General Revenue Fund (0101)	1,815,010
From Department of Health and Senior Services - Federal Fund (0143)	1,965,465
From State Emergency Management Federal Stimulus Fund (2335)	28,905
From Department of Health and Senior Services Federal Stimulus Fund (2350)	1,455,600

For the Department of Social Services

Expense and Equipment

From General Revenue Fund (0101)	10,155,830
From DSS Federal and Other Sources Fund (0610)	5,797,198

For the General Assembly

Expense and Equipment

From General Revenue Fund (0101)	10,327
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For the Lieutenant Governor

Expense and Equipment

From General Revenue Fund (0101)	46,847
From Missouri Arts Council Trust Fund (0262)	64,063

For the Attorney General

Expense and Equipment

From General Revenue Fund (0101)	486,282
From Attorney General - Federal Fund (0136)	143,534
From Merchandising Practices Revolving Fund (0631)	121,332
From Workers' Compensation Fund (0652)	89,887
From Workers' Compensation - Second Injury Fund (0653)	89,887
From Hazardous Waste Fund (0676)	8,075
From Missouri Office of Prosecution Services Fund (0680)	37,659

For the Secretary of State

Expense and Equipment

From General Revenue Fund (0101)	659,254
From Local Records Preservation Fund (0577)	2,282

For the State Auditor

Expense and Equipment

From General Revenue Fund (0101)	13,327
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For the Judiciary

Expense and Equipment

From General Revenue Fund (0101)	1,937,327
From Judiciary - Federal Fund (0137)	23,026
From Judiciary Education and Training Fund (0847)	145,894
Total	\$48,545,242

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SECTION 13.010. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For operation of state-owned facilities, utilities, systems furniture, and structural modifications, provided five percent (5%) flexibility is allowed between Section 13.005, 13.010, and 13.015, further provided five percent (5%) flexibility allowed between and within departments and one hundred percent (100%) flexibility between federal funds within this section, and further provided three percent (3%) flexibility is allowed from this section to Section 13.025

For the Department of Elementary and Secondary Education

Expense and Equipment

From General Revenue Fund (0101)	\$523,301
From Vocational Rehabilitation Fund (0104)	1,139,213
From DESE - Federal Fund (0105).....	407,737
From Child Care and Development Block Grant Federal Fund (0168).....	193,549

For the Department of Higher Education and Workforce Development

Expense and Equipment

From General Revenue Fund (0101)	343,590
From Job Development and Training Fund (0155)	531,668

For the Department of Revenue

Expense and Equipment

From General Revenue Fund (0101)	2,138,086
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For the Office of Administration

Expense and Equipment

From General Revenue Fund (0101)	4,214,399
From State Facility Maintenance and Operation Fund (0501).....	571,584
From Children's Trust Fund (0694)	26,031

For the Department of Agriculture

Expense and Equipment

From General Revenue Fund (0101)	113,655
From Department of Agriculture - Federal Fund (0133).....	30,136
From Animal Health Laboratory Fee Fund (0292).....	37,693
From Animal Care Reserve Fund (0295)	5,465
From Commodity Council Merchandising Fund (0406)	3,216
From Single - Purpose Animal Facilities Loan Program Fund (0408)	3,818
From Industrial Hemp Fund (0476).....	3,231
From State Milk Inspection Fees Fund (0645).....	4,206
From Grain Inspection Fees Fund (0647).....	3,611
From Petroleum Inspection Fund (0662).....	112,860
From Missouri Wine and Grape Fund (0787).....	10,382
From Agriculture Development Fund (0904)	1,505
From Agriculture Protection Fund (0970).....	292,300

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For the Department of Natural Resources

Expense and Equipment

From General Revenue Fund (0101)	572,270
From DNR - Federal Fund (0140)	286,510
From Missouri Air Emission Reduction Fund (0267).....	47,741
From DNR Cost Allocation Fund (0500).....	79,571
From Natural Resources Protection Fund - Water Pollution Permit Fee Subaccount (0568).....	125,181
From Solid Waste Management Fund - Scrap Tire Subaccount (0569).....	8,424
From Solid Waste Management Fund (0570).....	19,892
From Metallic Minerals Waste Management Fund (0575).....	239
From Natural Resources Protection Fund - Air Pollution Asbestos Fee Subaccount (0584).....	2,735
From Natural Resources Protection Fund - Air Pollution Permit Fee Subaccount (0594).....	84,830
From Soil and Water Sales Tax Fund (0614).....	34,923
From Energy Set-Aside Program Fund (0667).....	31,261
From Hazardous Waste Fund (0676).....	30,470
From Safe Drinking Water Fund (0679).....	129,623
From Mined Land Reclamation Fund (0906)	10,694
From Energy Futures Fund (0935).....	756

For the Department of Economic Development

Expense and Equipment

From General Revenue Fund (0101)	247,344
From Division of Tourism Supplemental Revenue Fund (0274).....	94,154
From Department of Economic Development Administrative Fund (0547).....	29,939

For the Department of Commerce and Insurance

Expense and Equipment

From Division of Credit Unions Fund (0548).....	30,839
From Division of Finance Fund (0550).....	204,860
From Insurance Examiners Fund (0552).....	110,608
From Insurance Dedicated Fund (0566).....	384,495
From Public Service Commission Fund (0607).....	115,518
From Professional Registration Fees Fund (0689)	278,838

For the Department of Labor and Industrial Relations

Expense and Equipment

From General Revenue Fund (0101)	118,238
From DOLIR - Commission on Human Rights - Federal Fund (0117).....	73,919
From DOLIR Administrative Fund (0122)	591,426
From Division of Labor Standards - Federal Fund (0186).....	7,361
From Unemployment Compensation Administration Fund (0948)	630,866
From Workers' Compensation Fund (0652)	539,306
From Special Employment Security Fund (0949)	342,848

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For the Department of Public Safety	
Expense and Equipment	
From General Revenue Fund (0101)	299,944
From Veterans' Commission Capital Improvement Trust Fund (0304)	137,947
From Division of Alcohol and Tobacco Control Fund (0544)	126,590
For the Department of Public Safety	
For the State Highway Patrol	
Expense and Equipment	
From State Highways and Transportation Department Fund (0644)	262,708
For the Department of Public Safety	
For the Missouri Gaming Commission	
Expense and Equipment	
From Gaming Commission Fund (0286)	78,797
For the Department of Corrections	
Expense and Equipment	
From General Revenue Fund (0101)	1,252,702
For the Department of Mental Health	
Expense and Equipment	
From General Revenue Fund (0101)	936,013
From Department of Mental Health - Federal Fund (0148)	255,772
From Health Initiatives Fund (0275)	6,742
For the Department of Health and Senior Services	
Expense and Equipment	
From General Revenue Fund (0101)	1,125,735
From Department of Health and Senior Services - Federal Fund (0143)	1,149,876
For the Department of Social Services	
Expense and Equipment	
From General Revenue Fund (0101)	5,778,896
From Temporary Assistance for Needy Families Fund (0199)	132,220
From DSS Federal and Other Sources Fund (0610)	711,330
From Health Initiatives Fund (0275)	18,441
From Department of Social Services Educational Improvement Fund (0620)	5,683
For the Governor	
Expense and Equipment	
From General Revenue Fund (0101)	570,809
For the Lieutenant Governor	
Expense and Equipment	
From General Revenue Fund (0101)	62,502

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the General Assembly	
Expense and Equipment	
From General Revenue Fund (0101)	2,152,456
For the Secretary of State	
Expense and Equipment	
From General Revenue Fund (0101)	1,241,201
From Secretary of State's Technology Trust Fund Account (0266)	13,658
From Local Records Preservation Fund (0577)	7,043
From Investor Education and Protection Fund (0829)	27,250
For the State Auditor	
Expense and Equipment	
From General Revenue Fund (0101)	277,247
For the Attorney General	
Expense and Equipment	
From General Revenue Fund (0101)	520,300
From Attorney General - Federal Fund (0136)	165,779
From Natural Resources Protection Water Pollution Permit Fee	
Subaccount Fund (0568)	129,326
From Workers' Compensation Fund (0652)	37,409
From Workers' Compensation Second Injury Fund (0653)	37,209
From Hazardous Waste Fund (0676)	10,326
For the State Treasurer	
Expense and Equipment	
From State Treasurer's General Operations Fund (0164)	208,203
For the Judiciary	
Expense and Equipment	
From General Revenue Fund (0101)	360,587
Total	\$34,047,616

SECTION 13.015. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For the operation of institutional facilities, utilities, systems furniture, and structural modifications, provided five percent (5%) flexibility is allowed between Sections 13.005, 13.010, and 13.015, further provided five percent (5%) between and within departments and one hundred percent (100%) flexibility is allowed between federal funds within this section, and further provided three percent (3%) flexibility is allowed from this section to Section 13.025

For the Department of Elementary and Secondary Education

 Expense and Equipment

From General Revenue Fund (0101)

\$4,666,004

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the Department of Public Safety	
For the State Highway Patrol	
Expense and Equipment	
From General Revenue Fund (0101)	562,826
From State Highways and Transportation Department Fund (0644)	1,771,357
For the Department of Mental Health	
Expense and Equipment	
From General Revenue Fund (0101)	23,455,664
For the Department of Health and Senior Services	
Expense and Equipment	
From General Revenue Fund (0101)	9,484
From Department of Health and Senior Services - Federal Fund (0143)	10,962
For the Department of Social Services	
Expense and Equipment	
From General Revenue Fund (0101)	3,944,552
From DSS Federal and Other Sources Fund (0610)	927,791
Total	\$35,348,640

SECTION 13.020. — To the Office of Administration

For the Division of Facilities Management, Design and Construction	
For the collection and payment of costs associated with state-owned, institutional, and state leased space occupied by non-state agencies	
Expense and Equipment	
From Office of Administration Revolving Administrative Trust Fund (0505)	\$1,528,026

SECTION 13.025. — To the Office of Administration

For the Division of Facilities Management, Design and Construction	
Funds are to be transferred out of the State Treasury, for the payment of claims, premiums, and expenses as provided by Section 105.711 through 105.726, RSMo, to the State Legal Expense Fund	
From General Revenue Fund (0101)	\$1

Bill Totals

General Revenue Fund	\$81,807,385
Federal Funds	21,930,650
Other Funds	12,425,443
Total	\$116,163,478

Approved June 30, 2022

SS SCS HCS HB 3014

Appropriates money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government

AN ACT to appropriate money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2022.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period ending June 30, 2022, as follows:

PART 1

SECTION 14.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act shall consist of guidance to the Department of Elementary and Secondary Education and the Department of Social Services in implementing the appropriations found in Part 1 and Part 2 of this act.

SECTION 14.005. — To the Department of Elementary and Secondary Education

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From General Revenue Fund (0101)	\$1,111,278
From Federal and Other Funds (Various).....	<u>1,209,585</u>
Total.....	\$2,320,863

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.010. — To the Department of Elementary and Secondary Education

For distributions to the free public schools under the Coronavirus Response and Relief Supplemental Appropriations Act

Personal Service.....\$410,000

Expense and Equipment.....149,036,221

From Department of Elementary and Secondary Education Federal Emergency

Relief Fund (2305).....\$149,446,221

For distributions to the free public schools under the American Rescue Plan Act

Expense and Equipment

From Department of Elementary and Secondary Education Federal Emergency

Relief 2021 Fund (2434).....1,762,124,659

Total (Not to exceed 1.00 F.T.E.).....\$1,911,570,880

SECTION 14.015. — To the Department of Elementary and Secondary Education

For distributions of the Governor's Emergency Education Relief Funds for Emergency Assistance to Non-Public Schools under the Coronavirus Response and Relief Supplemental Appropriations Act, provided that any unobligated non-public schools funds may be used for distributions under Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act

From Department of Elementary and Secondary Education Federal Emergency

Relief Fund (2305).....\$31,055,984

For distributions of the Governor's Emergency Education Relief Funds for Emergency Assistance to Non-Public Schools under the American Rescue Plan Act, provided that any unobligated non-public schools funds may be used for distributions under Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act

From Department of Elementary and Secondary Education Federal Emergency

Relief 2021 Fund (2434).....68,641,868

Total.....\$99,697,852

SECTION 14.020. — To the Department of Elementary and Secondary Education

For the School Nutrition Services Program to reimburse schools for school food programs

From Elementary and Secondary Education - Federal Fund (0105).....\$202,530,885

For the School Nutrition Services Program to reimburse schools for revenue loss due to school closures and COVID-19 restrictions

From Department of Elementary and Secondary Education Federal Stimulus

Fund (2300).....17,073,503

Total.....\$219,604,388

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.025. — To the Department of Elementary and Secondary Education

For the Missouri Healthy Schools, Successful Students Program

Personal Service.....\$25,644

Expense and Equipment.....375,700

From Department of Elementary and Secondary Education Federal Stimulus

Fund (2300) (Not to exceed 0.50 F.T.E.).....\$401,344

SECTION 14.030. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For child care stabilization services in response to the COVID-19 pandemic

From Department of Elementary and Secondary Education Federal

Stimulus - 2021 Fund (2436).....\$444,140,749

SECTION 14.035. — To the Department of Higher Education and Workforce Development

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From General Revenue Fund (0101).....\$52,367

From Federal and Other Funds (Various).....432,078

Total.....\$484,445

SECTION 14.040. — To the Department of Revenue

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service.....\$1,398,669

Annual salary adjustment in accordance with Section 105.005, RSMo.....3,122

From General Revenue Fund (0101).....1,401,791

Personal Service

From Federal and Other Funds (Various).....630,541

Total.....\$2,032,332

SECTION 14.050. — To the Department of Transportation

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From Federal and Other Funds (Various).....\$6,233,782

SECTION 14.055. — To the Department of Transportation

For payment of the state's contribution to the Missouri Department of Transportation and Highway Patrol Employees' Retirement System,

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Matter in bold-face type is proposed language.

provided that fifty (50%) flexibility is allowed between Section 14.055 and
 Section 14.060
 From Federal and Other Funds (Various).....\$3,636,165

SECTION 14.060. — To the Department of Transportation

For payment of the state's contribution for medical insurance, life insurance and
 Employee Assistance Program benefits for active Missouri Department of
 Transportation employees, provided that fifty (50%) flexibility is allowed
 between Section 14.055 and Section 14.060
 From Federal and Other Funds (Various).....\$91,013

SECTION 14.065. — To the Office of Administration

For the purpose of funding a state employee pay plan, provided such funding
 shall be used for a five and one-half percent (5.5%) cost of living adjustment
 and to address compression
 Personal Service.....\$1,072,566
 Annual salary adjustment in accordance with Section 105.005, RSMo..... 3,119
 From General Revenue Fund (0101) 1,075,685
 Personal Service
 From Federal and Other Funds (Various)..... 1,666,163
 Total.....\$2,741,848

SECTION 14.070. — To the Office of Administration

For transferring funds for state employees and participating political
 subdivisions to the OASDHI Contributions Fund
 From General Revenue Fund (0101)\$3,754,386
 From Federal and Other Funds (Various)..... 1,974,805
 Total.....\$5,729,191

SECTION 14.075. — To the Office of Administration

For payment of OASDHI taxes for all state employees and for participating
 political subdivisions within the state to the Treasurer of the United States
 for compliance with current provisions of Title 2 of the Federal Social
 Security Act, as amended, in accordance with the agreement between the
 State Social Security Administrator and the Secretary of the Department of
 Health and Human Services, and for administration of the agreement under
 Section 218 of the Social Security Act which extends Social Security
 benefits to state and local public employees
 From OASDHI Contributions Fund (0702)\$5,729,191

SECTION 14.080. — To the Office of Administration

For transferring funds for the state's contribution to the Missouri State
 Employees' Retirement System to the State Retirement Contributions Fund
 From General Revenue Fund (0101)\$9,897,926
 From Federal and Other Funds (Various)..... 5,206,304
 Total.....\$15,104,230

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

SECTION 14.085. — To the Office of Administration

For payment of the state's contribution to the Missouri State Employees' Retirement System, including debt service and related expenses related to pension obligation bonding and/or a finance agreement between the Missouri State Employees' Retirement System and the State of Missouri, provided that no debt or finance agreement repayment shall extend beyond Fiscal Year 2022

From State Retirement Contributions Fund (0701)\$15,104,230

SECTION 14.100. — To the Department of Agriculture

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service.....\$346,820

Annual salary adjustment in accordance with Section 105.005, RSMo..... 3,018

From General Revenue Fund (0101) 349,838

Personal Service

From Federal and Other Funds (Various)..... 277,807

Total.....\$627,645

SECTION 14.105. — To the Department of Natural Resources

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service.....\$638,146

Annual salary adjustment in accordance with Section 105.005, RSMo..... 3,019

From General Revenue Fund (0101) 641,165

Personal Service

From Federal and Other Funds (Various)..... 1,542,508

Total.....\$2,183,673

SECTION 14.110. — To the Department of Natural Resources

For the Low-Income Weatherization Assistance Program

From Department of Natural Resources Federal Stimulus - 2021 Fund (2449).....\$10,384,342

SECTION 14.115. — To the Department of Conservation

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From Conservation Commission Fund (0609)\$1,993,245

SECTION 14.120. — To the Department of Economic Development

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Personal Service.....	\$188,417
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>3,245</u>
From General Revenue Fund (0101)	191,662

Personal Service	
From Federal and Other Funds (Various).....	<u>54,505</u>
Total.....	\$246,167

SECTION 14.125. — To the Department of Economic Development

For the National Security Crossroads Initiative

From Department of Economic Development - Federal and Other Fund (0129)	\$548,757
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SECTION 14.130. — To the Department of Commerce and Insurance

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service	
From General Revenue Fund (0101)	\$26,109

Personal Service.....	1,199,657
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>13,255</u>
From Federal and Other Funds (Various).....	<u>1,212,912</u>
Total.....	\$1,239,021

SECTION 14.135. — To the Department of Labor and Industrial Relations

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service.....	\$41,613
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>3,158</u>
From General Revenue Fund (0101)	44,771

Personal Service.....	1,532,236
Annual salary adjustment in accordance with Section 105.005, RSMo.....	<u>92,915</u>
From Federal and Other Funds (Various).....	<u>1,625,151</u>
Total.....	\$1,669,922

SECTION 14.140. — To the Department of Public Safety

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service.....	\$729,795
Annual Salary adjustment in accordance with Section 105.005, RSMo	<u>3,020</u>
From General Revenue Fund (0101)	732,815

Personal Service	
From Federal and Other Funds (Various).....	<u>7,624,694</u>
Total.....	\$8,357,509

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.145. — To the Department of Public Safety

For fringe benefits, including retirement contributions for members of the
Missouri Department of Transportation and Highway Patrol Employees'
Retirement System and insurance premiums

From General Revenue Fund (0101) \$270,032
From Federal and Other Funds (Various)..... 1,870,758

For fringe benefits, including retirement contributions for members of the
Missouri Department of Transportation and Highway Patrol Employees'
Retirement System and insurance premiums for State Highway Patrol
employees assigned to work under the direction of the Gaming Commission

From Gaming Commission Fund (0286) 127,216
Total..... \$2,268,006

SECTION 14.150. — To the Department of Corrections

For the purpose of funding a state employee pay plan, provided such funding
shall be used for a five and one-half percent (5.5%) cost of living adjustment
and to address compression

Personal Service..... \$11,535,549
Annual salary adjustment in accordance with Section 105.005, RSMo..... 3,112
From General Revenue Fund (0101) 11,538,661

Personal Service
From Federal and Other Funds (Various)..... 347,044
Total..... \$11,885,705

SECTION 14.155. — To the Department of Mental Health

For the purpose of funding a state employee pay plan, provided such funding
shall be used for a five and one-half percent (5.5%) cost of living adjustment
and to address compression

Personal Service
From General Revenue Fund (0101) \$11,600,262
From Federal and Other Funds (Various)..... 90,038
Total..... \$11,690,300

SECTION 14.160. — To the Department of Health and Senior Services

For the purpose of funding a state employee pay plan, provided such funding
shall be used for a five and one-half percent (5.5%) cost of living adjustment
and to address compression

Personal Service
From General Revenue Fund (0101) \$786,320
From Federal and Other Funds (Various)..... 1,758,159
Total..... \$2,544,479

SECTION 14.165. — To the Department of Health and Senior Services

For funding supportive services and meals to be distributed to each Area Agency
on Aging

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Department of Health and Senior Services Federal Stimulus - 2021 Fund
(2457).....\$26,234,737

SECTION 14.170. — To the Department of Social Services

For the purpose of funding a state employee pay plan, provided such funding
shall be used for a five and one-half percent (5.5%) cost of living adjustment
and to address compression

Personal Service.....\$3,678,927
Annual salary adjustment in accordance with Section 105.005, RSMo..... 3,453
From General Revenue Fund (0101) 3,682,380

Personal Service
From Federal and Other Funds (Various)..... 3,352,842
Total.....\$7,035,222

SECTION 14.175. — To the Department of Social Services

For the Office of the Director

For the Missouri Medicaid Audit and Compliance Unit

Personal Service.....\$4,165
Expense and Equipment..... 1,365
From Medicaid Stabilization Fund (0809) 5,530

Personal Service..... 4,165
Expense and Equipment..... 1,365
From Department of Social Services Federal Fund (0610)..... 5,530
Total (Not to exceed 0.34 F.T.E.)..... \$11,060

SECTION 14.180. — To the Department of Social Services

For the Family Support Division

For the income maintenance field staff and operations

Personal Service.....\$1,021,961
Expense and Equipment..... 9,774,326
From Department of Social Services Federal Fund (0610)..... 10,796,287

Personal Service..... 340,654
Expense and Equipment..... 3,258,108
From Medicaid Stabilization Fund (0809) 3,598,762

For the implementation of the redetermination process for MO HealthNet
eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment
From General Revenue Fund (0101) 231,805

Expense and Equipment
From Department of Social Services Federal Fund (0610)..... 695,418
Total (Not to exceed 18.33 F.T.E.)\$15,322,272

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.185. — To the Department of Social Services

For the Family Support Division

For contractor, hardware, and other costs associated with planning, development, and implementation of a Family Assistance Management Information System (FAMIS)

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment

From General Revenue Fund (0101) \$7,421

From Department of Social Services Federal Fund (0610)..... 12,369Total..... \$19,790**SECTION 14.190.** — To the Department of Social Services

For the Family Support Division

For the Missouri Eligibility Determination and Enrollment System (MEDES)

For the design, development, implementation, maintenance and operation costs for the family Medicaid and Children's Health Insurance Program (CHIP) eligibility categories under the Modified Adjusted Gross Income (MAGI) based methodology

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment

From General Revenue Fund (0101) \$47,869

From Department of Social Services Federal Fund (0610)..... 143,606Total..... \$191,475**SECTION 14.195.** — To the Department of Social Services

For the Family Support Division

For the third party eligibility verification services to utilize public records as well as other established, credible data sources to evaluate income, resources, and assets of each applicant on no less than a quarterly basis; the contractor shall also, on a monthly basis, identify participants of covered programs who have died, moved out of state, or been incarcerated longer than 90 days

Expense and Equipment

From Medicaid Stabilization Fund (0809) \$1,140,127

From Department of Social Services Federal Fund (0610)..... 5,998,313

For the third party eligibility verification services to utilize public records as well as other established, credible data sources to evaluate income, resources, and assets of each applicant on no less than a quarterly basis; the contractor shall also, on a monthly basis, identify participants of covered programs who have died, moved out of state, or been incarcerated longer than 90 days

For the implementation of the redetermination process for MO HealthNet eligibility after the COVID-19 federal public health emergency ends

Expense and Equipment

From General Revenue Fund (0101) 1,236,994

From Child Care and Development Block Grant Federal Fund (0168)..... 35,534

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Temporary Assistance for Needy Families Federal Fund (0199).....	35,531
From Department of Social Services Federal Fund (0610).....	<u>2,555,440</u>
Total.....	\$11,001,939

SECTION 14.200. — To the Department of Social Services

For the Family Support Division

For distribution of TANF pandemic emergency assistance funds to foster parents on a pro-rata basis based on number of foster children for whom care is provide in the current fiscal year, provided that said parents are concurrently receiving foster care maintenance payments or distribution to community-based providers for non-reoccurring assistance for citizens experiencing crisis situations or episodes of need

From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$14,530,873

SECTION 14.205. — To the Department of Social Services

For the Family Support Division

For the Low-Income Home Energy Assistance Program, provided the eligible household income does not exceed one hundred and fifty percent (150%) of the federal poverty level or sixty percent (60%) of the state median income (SMI)

From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$93,459,077

SECTION 14.210. — To the Department of Social Services

For the Children's Division

For residential treatment placements and therapeutic treatment services; and for the diversion of children from inpatient psychiatric treatment and services provided through comprehensive, expedited permanency systems of care for children and families

From General Revenue Fund (0101)	\$398,587
From Temporary Assistance for Needy Families Federal Fund (0199).....	117,615
From Department of Social Services Federal Fund (0610).....	<u>137,218</u>
Total.....	\$653,420

SECTION 14.215. — To the Department of Social Services

For the MO HealthNet Division

For administrative services, provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Section 14.220 to Sections 14.225, 14.230, 14.245, 14.250, 14.255, and 14.260

Personal Service.....	\$134,641
Expense and Equipment.....	<u>938,773</u>
From Medicaid Stabilization Fund (0809)	1,073,414

Personal Service.....	160,483
Expense and Equipment.....	<u>942,585</u>
From Department of Social Services Federal Fund (0610).....	<u>1,103,068</u>
Total (Not to exceed 6.50 F.T.E.).....	\$2,176,482

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.220. — To the Department of Social Services

For the MO HealthNet Division

For the operation of the information systems, provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215, 14.225, 14.230, 14.245, 14.250, 14.255, and 14.260

Expense and Equipment

From Medicaid Stabilization Fund (0809)	\$1,812,401
From Department of Social Services Federal Fund (0610)	<u>5,437,201</u>
Total	\$7,249,602

SECTION 14.225. — To the Department of Social Services

For the MO HealthNet Division

For pharmaceutical payments under the MO HealthNet fee-for-service program, professional fees for pharmacists, and for a comprehensive chronic care risk management program, provided that not more than ten percent (10%) flexibility is allowed between Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$67,422,563
From Medicaid Stabilization Fund (0809)	23,324,605
From Title XIX - Federal Fund (0163)	8,651,113
From Title XIX - Adult Expansion Federal Fund (0358)	<u>157,918,004</u>
Total	\$257,316,285

SECTION 14.230. — To the Department of Social Services

For the MO HealthNet Division

For physician services and related services including, but not limited to, clinic and podiatry services, telemedicine services, physician-sponsored services and fees, laboratory and x-ray services, asthma related services, diabetes prevention and obesity related services, services provided by chiropractic physicians, and family planning services under the MO HealthNet fee-for-service program, and for a comprehensive chronic care risk management program, and Major Medical Prior Authorization, and the Program of All-Inclusive Care for the Elderly, provided that not more than ten percent (10%) flexibility is allowed between this subsection and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$3,153,635
From Medicaid Stabilization Fund (0809)	4,290,016
From Title XIX - Federal Fund (0163)	14,129,187
From Title XIX - Adult Expansion Federal Fund (0358)	<u>38,610,142</u>

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For payment of physician and related services to Certified Community
Behavioral Health Organizations

From General Revenue Fund (0101)	8,311,328
From Medicaid Stabilization Fund (0809)	1,320,706
From Title XIX - Federal Fund (0163)	2,769,247
From Title XIX - Adult Expansion Federal Fund (0358)	<u>11,886,353</u>
Total	\$84,470,614

SECTION 14.231. — To the Department of Social Services

For the MO HealthNet Division

For the Program for All-Inclusive Care for the Elderly

From General Revenue Fund (0101)	\$189,019
From Title XIX - Federal Fund (0163)	<u>367,083</u>
Total	\$556,102

SECTION 14.235. — To the Department of Social Services

For the MO HealthNet Division

For dental services under the MO HealthNet fee-for-service program, including
adult dental procedure codes (Tier 1-6), provided that not more than ten
percent (10%) flexibility is allowed between this section and Sections
14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265,
14.275, and 14.280

From General Revenue Fund (0101)	\$222,696
From Title XIX - Federal Fund (0163)	510,442
From Medicaid Stabilization Fund (0809)	7,477
From Title XIX - Adult Expansion Federal Fund (0358)	<u>67,289</u>
Total	\$807,904

SECTION 14.240. — To the Department of Social Services

For the MO HealthNet Division

For payments to third-party insurers, employers, or policyholders for health
insurance, provided that not more than ten percent (10%) flexibility is
allowed between Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250,
14.255, 14.260, 14.265, 14.275, and 14.280

From General Revenue Fund (0101)	\$6,731,297
From Title XIX - Federal Fund (0163)	<u>16,211,989</u>
Total	\$22,943,286

SECTION 14.245. — To the Department of Social Services

For the MO HealthNet Division

For funding long-term care services

For care in nursing facilities under the MO HealthNet fee-for-service program
and for contracted services to develop model policies and practices that
improve the quality of life for long-term care residents, provided that not
more than ten percent (10%) flexibility is allowed between this subsection
and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255,

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14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$4,066,371
From Title XIX - Federal Fund (0163)	<u>13,015,408</u>
Total	\$17,081,779

SECTION 14.250. — To the Department of Social Services

For the MO HealthNet Division

For all other non-institutional services including, but not limited to, rehabilitation, optometry, audiology, ambulance, non-emergency medical transportation, durable medical equipment, and eyeglasses under the MO HealthNet fee-for-service program, and for rehabilitation services provided by residential treatment facilities as authorized by the Children's Division for children in the care and custody of the Children's Division, provided that not more than ten percent (10%) flexibility is allowed between this subsection and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$25,158,608
From Medicaid Stabilization Fund (0809)	332,401
From Title XIX - Adult Expansion Federal Fund (0358)	<u>2,991,609</u>

For non-emergency medical transportation, provided that not more than ten percent (10%) flexibility is allowed between this subsection and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	1,293,764
From Title XIX - Federal Fund (0163)	2,543,281
From Medicaid Stabilization Fund (0809)	117,869
From Title XIX - Adult Expansion Federal Fund (0358)	<u>1,060,817</u>
Total	\$33,498,349

SECTION 14.255. — To the Department of Social Services

For the MO HealthNet Division

For payment to comprehensive prepaid health care plans as provided by federal or state law or for payments to programs authorized by the Frail Elderly Demonstration Project Waiver as provided by the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508, Section 4744) and by Section 208.152 (16), RSMo, provided that the department shall implement programs or measures to achieve cost-savings through emergency room services reform, and further provided that MO HealthNet eligibles described in Section 501(a)(1)(D) of Title V of the Social Security Act may voluntarily

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enroll in the Managed Care Program, and further provided that not more than ten percent (10%) flexibility is allowed between this section and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$203,412,284
From Medicaid Stabilization Fund (0809)	40,949,313
From Title XIX - Federal Fund (0163)	247,940,256
From Title XIX - Adult Expansion Federal Fund (0358)	307,778,051
From Healthy Families Trust Fund (0625)	11,205,738
From Life Sciences Research Trust Fund (0763)	<u>3,487,128</u>
Total	\$814,772,770

SECTION 14.260. — To the Department of Social Services

For the MO HealthNet Division

For hospital care under the MO HealthNet fee-for-service program, graduate medical education, and for a comprehensive chronic care risk management program, provided that the MO HealthNet Division shall track payments to out-of-state hospitals by location, and further provided the department seek a waiver of the institutions for mental disease (IMD) exclusion for inpatient mental health treatment for MO HealthNet participants in psychiatric hospitals pursuant to Section 12003 of the 21st Century Cures Act with the state share through the federal reimbursement allowance, and further provided that not more than ten percent (10%) flexibility is allowed between this subsection and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280, and further provided that not more than one quarter of one percent (0.25%) flexibility is allowed between this section and Sections 14.215 and 14.220

From General Revenue Fund (0101)	\$8,533,736
From Medicaid Stabilization Fund (0809)	10,879,624
From Title XIX - Federal Fund (0163)	4,950,001
From Title XIX - Adult Expansion Federal Fund (0358)	<u>97,916,619</u>
Total	\$122,279,980

SECTION 14.265. — To the Department of Social Services

For the MO HealthNet Division

For health homes, provided that not more than (10%) flexibility is allowed between this subsection and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280

From General Revenue Fund (0101)	\$782,530
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SECTION 14.270. — To the Department of Social Services

For the MO HealthNet Division

For payments to hospitals under the Federal Reimbursement Allowance Program including state costs to pay for an independent audit of

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Matter in bold-face type is proposed language.

Disproportionate Share Hospital payments as required by the Centers for Medicare and Medicaid Services, for the expenses of the Poison Control Center in order to provide services to all hospitals within the state, and for the Gateway to Better Health 1115 Demonstration

For a continuation of the services provided through Medicaid Emergency

Psychiatric Demonstration as required by Section 208.152(16), RSMo

From Title XIX - Adult Expansion Federal Fund (0358)\$66,396,916

SECTION 14.275. — To the Department of Social Services

For the MO HealthNet Division

For funding programs to enhance access to care for uninsured children using fee for service, prepaid health plans, or other alternative service delivery and reimbursement methodology approved by the director of the Department of Social Services, provided that families of children receiving services under this section shall pay the following premiums to be eligible to receive such services: zero percent on the amount of a family's income which is less than or equal to 150 percent of the federal poverty level; four percent on the amount of a family's income which is less than or equal to 185 percent of the federal poverty level but greater than 150 percent of the federal poverty level; eight percent on the amount of a family's income which is less than or equal to 225 percent of the federal poverty level but greater than 185 percent of the federal poverty level; fourteen percent on the amount of a family's income which is less than or equal to 300 percent of the federal poverty level but greater than 225 percent of the federal poverty level not to exceed five percent of total income; families with an annual income of more than 300 percent of the federal poverty level are ineligible for this program, provided that not more than ten percent (10%) flexibility is allowed between this section and Sections 14.225, 14.230, 14.235, 14.240, 14.245, 14.250, 14.255, 14.260, 14.265, 14.275, and 14.280

From General Revenue Fund (0101)\$10,298,554

From Title XXI - Children's Health Insurance Program Federal Fund (0159) 33,324,291

Total.....\$43,622,845

SECTION 14.277. — To the Department of Social Services

For the MO HealthNet Division

For medical and health related services performed by any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital

From General Revenue Fund (0101)\$0

From Federal and Other Funds (Various)..... 0

Total.....\$0

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.280. — To the Department of Social Services

For the MO HealthNet Division

For MO HealthNet services for the Department of Elementary and Secondary

Education under the MO HealthNet fee-for-service program

From Title XIX - Federal Fund (0163).....\$26,485,526

SECTION 14.285. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the Federal

Reimbursement Allowance Fund

From General Revenue Fund (0101)\$65,000,000

SECTION 14.290. — To the Department of Social Services

Funds are to be transferred out of the State Treasury to the General Revenue

Fund

From Federal Reimbursement Allowance Fund (0142).....\$65,000,000

SECTION 14.295. — To the Governor

For the purpose of funding a state employee pay plan, provided such funding

shall be used for a five and one-half percent (5.5%) cost of living adjustment

and to address compression

Personal Service

From General Revenue Fund (0101)\$48,589

From Federal and Other Funds (Various).....6,841

Total.....\$55,430

SECTION 14.300. — To the Lieutenant Governor

For the purpose of funding a state employee pay plan, provided such funding

shall be used for a five and one-half percent (5.5%) cost of living adjustment

and to address compression

Personal Service

From General Revenue Fund (0101)\$31,432

SECTION 14.305. — To the Secretary of State

For the purpose of funding a state employee pay plan, provided such funding

shall be used for a five and one-half percent (5.5%) cost of living adjustment

and to address compression

Personal Service

From General Revenue Fund (0101)\$191,765

From Federal and Other Funds (Various).....66,213

Total.....\$257,978

SECTION 14.310. — To the State Auditor

For the purpose of funding a state employee pay plan, provided such funding

shall be used for a five and one-half percent (5.5%) cost of living adjustment

and to address compression

Personal Service

From General Revenue Fund (0101)\$135,892

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From Federal and Other Funds (Various).....	43,341
Total.....	\$179,233

SECTION 14.315. — To the State Treasurer

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression
Personal Service

From General Revenue Fund (0101)	\$8,602
From Federal and Other Funds (Various).....	62,772
Total.....	\$71,374

SECTION 14.317. — To the State Treasurer

Funds are to be transferred out of the State Treasury to the Missouri Empowerment Scholarship Accounts Fund

From General Revenue Fund (0101)	\$1,000,000
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SECTION 14.320. — To the State Treasurer

For the Missouri Empowerment Scholarship Accounts Program

Personal Service and/or Expense and Equipment

From Missouri Empowerment Scholarship Accounts Fund (0278) (Not to exceed 2.67 F.T.E.).....	\$1,000,000
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SECTION 14.322. — To the State Treasurer

For issuing duplicate checks or drafts and outlawed checks as provided by law

From General Revenue Fund (0101)	\$4,000,000
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SECTION 14.325. — To the Attorney General

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression
Personal Service

From General Revenue Fund (0101)	\$316,588
From Federal and Other Funds (Various).....	222,395
Total.....	\$538,983

SECTION 14.330. — To the Supreme Court

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression
Personal Service

From General Revenue Fund (0101)	\$4,301,535
From Federal and Other Funds (Various).....	330,430
Total.....	\$4,631,965

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.335. — To the Office of the State Public Defender

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From General Revenue Fund (0101)	\$917,553
From Federal and Other Funds (Various).....	<u>3,295</u>
Total.....	\$920,848

SECTION 14.340. — To the General Assembly

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From General Revenue Fund (0101)	\$587,882
From Federal and Other Funds (Various).....	<u>2,169</u>
Total.....	\$590,051

SECTION 14.345. — To the Office of the Administration

For the purpose of funding a state employee pay plan, provided such funding shall be used for a five and one-half percent (5.5%) cost of living adjustment and to address compression

Personal Service

From General Revenue Fund (0101)	\$1,312,669
From Federal and Other Funds (Various).....	<u>275,242</u>
Total.....	\$1,587,911

SECTION 14.355. — To the Office of Administration

For the Department of Natural Resources

For the development of: program rules, guidance for the public, a spending plan, and a request for proposals for water infrastructure grants and lead service line inventories

Personal Service.....	\$129,230
Expense and Equipment.....	<u>27,818</u>

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462) (Not to exceed 2.75 F.T.E.).....	\$157,048
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SECTION 14.360. — To the Office of Administration

For the Department of Economic Development

For the development of: program rules, guidance for the public, a spending plan, and a request for proposals for American Rescue Plan Act programs

Personal Service.....	\$343,096
Expense and Equipment.....	<u>208,191</u>

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463) (Not to exceed 6.26 F.T.E.).....	\$551,287
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.365. — To the Office of Administration

For the Department of Economic Development

For the development of: program rules, guidance for the public, a spending plan,
and a request for proposals for broadband expansion and adoption

Personal Service.....\$136,494

Expense and Equipment..... 643,309

From Coronavirus State Fiscal Recovery - Broadband Fund (2465)

(Not to exceed 2.09 F.T.E.).....\$779,803

SECTION 14.370. — To the Office of Administration

For the State Emergency Management Agency

For expenses of any state agency responding to COVID-19

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463).....\$100,000,000

SECTION 14.375. — To the Office of Administration

For the Department of Social Services

For the Family Support Division

For the Victims of Crime Act (VOCA) Unit

For grants to organizations for services and programs to assist victims of crime,
provided that such funds shall be awarded through a competitive grant
process

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$12,000,000

SECTION 14.380. — To the Office of Administration

For the Department of Social Services

For Medicaid providers that provide Medicaid services in rural counties for the
purchase of necessary equipment and trainings for the purpose of increasing
access to telehealth services for MO HealthNet participants

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463).....\$10,000,000

SECTION 14.385. — To the Office of AdministrationFunds are to be transferred out of the State Treasury to the Coronavirus State
Fiscal Recovery - Revenue Replacement Fund

From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$12,000,000

SECTION 14.390. — To the Office of AdministrationFunds are to be transferred out of the State Treasury to the Coronavirus State
Fiscal Recovery - Water Infrastructure Fund

From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$157,048

SECTION 14.395. — To the Office of AdministrationFunds are to be transferred out of the State Treasury to the Coronavirus State
Fiscal Recovery - Health and Economic Impacts Fund

From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$110,551,287

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 14.400. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Coronavirus State
Fiscal Recovery - Broadband Fund

From Coronavirus State Fiscal Recovery Deposits Fund (2427) \$779,803

PART 2**SECTION 14.1000.** — To the Department of Social Services

In reference to Sections 14.235 and 14.265 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2021, except for Certified Community Behavioral Health Clinics, for whom no funds shall be expended in furtherance of actuarial rates greater than those approved by the Department of Mental Health.

SECTION 14.1005. — To the Department of Social Services

In reference to Section 14.245 of Part 1 of this act:

No funds shall be expended in furtherance of nursing facility provider rates greater than \$10.18 per bed day above the rate in effect on January 1, 2021. If the effective date of the rate increase is after July 1, 2021, any nursing facility provider rate increase shall be prorated over the remaining portion of the fiscal year, but in no event shall the total amount resulting from all provider rate increases to any provider be greater than the amount that would result from implementing a \$10.18 per bed day increase, on July 1, 2021, over the rate in effect on January 1, 2021, to said provider. The rate increase shall only be effective for fiscal year 2022. No funds shall be expended in furtherance of home health provider rates greater than the rate in effect on January 1, 2021.

SECTION 14.1010. — To the Department of Social Services

In reference to Section 14.250 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2021, except for providers of non-emergency medical transportation for MO HealthNet and Department of Mental Health for whom no funds shall be expended in furtherance of provider rates greater than the lower bound actuarial soundness rate, further excepting providers of hospice care, for whom no funds shall be expended in furtherance of provider rate for routine home care, continuous care, inpatient respite care, and general inpatient care greater than 2.50% above the blended rate in effect on January 1, 2021 and for whom no fund shall be expended in furtherance of rates no greater than 95% of the nursing facility per diem rate for room and board for services provided in a nursing facility, and further excepting providers of air ambulance services for whom no funds shall be expended in furtherance of 60% of the rural medicare rate.

SECTION 14.1015. — To the Department of Social Services

In reference to Section 14.255 of Part 1 of this act:

No funds shall be expended in furtherance of managed care contract rates greater than the lower bound actuarial soundness rate.

SECTION 14.1020. — To the Department of Social Services

In reference to Section 14.270 of Part 1 of this act:

No funds shall be expended in furtherance of out-of-state payments greater than the state fiscal year 2021 level.

SECTION 14.1025. — To the Department of Social Services

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3

SECTION 14.2000. — To the Department of Elementary and Secondary Education

In reference to Section 14.030 of Part 1 and Part 2 of this act:

The Department shall provide written notification, prior to submission to the federal government, of state plans and state plan amendments, and reports to the House Budget and Senate Appropriation Committee Chairs.

SECTION 14.2005. — To the Department of Elementary and Secondary Education

In reference to Section 14.030 of Part 1 and Part 2 of this act:

Any childcare provider that takes receipt of any grant(s) funded from this section intended to offset general operating costs, including but not limited to any grant styled as a "Paycheck Protection Program" grant or forgivable loan, may temporarily reduce privately paid tuition by 50% for all enrolled children upon receipt of the grant or forgiveness of the loan. The aggregate amount of the reduction shall be equal to not less than 50% of the grant received. Any childcare provider in receipt of grant funding as described in this section shall provide notice to payers of private tuition of these requirements.

SECTION 14.2010. — To the Department of Social Services

In reference to Section 14.255 of Part 1 and Part 2 of this act:

Contract changes shall be provided in writing, prior to submission to the Centers for Medicare and Medicaid Services, to the House Budget and Senate Appropriation Committee Chairs.

SECTION 14.2015. — To the Department of Social Services

In reference to all sections in Part 1 and Part 2 of this act:

The Department shall provide written notification prior to submission to the federal government of state plans and state plan amendments, grant applications, and Medicaid waivers to the House Budget and Senate Appropriation Committee Chairs.

SECTION 14.2020. — To the Department of Social Services

The Department shall direct deposits of moneys from the federal government that accrue to the state due to a five percent (5%) temporary increase in the Federal Medical Percentage (FMAP) authorized under the American Rescue Plan Act of 2021 for the implementation of Medicaid Expansion into the FMAP Enhancement - Expansion Fund (2466).

SECTION 14.2025. — To the Department of Social Services

The Department shall direct deposits of moneys from the federal government that accrue to the state from Medicaid reimbursements for individuals enrolled in MO HealthNet under the eligibility criteria set forth in Article IV, Section 36(c) of the Missouri Constitution into the Title XIX - Adult Expansion Federal Fund (0358), with the exception of any moneys collected by the state due to a temporary increase in the Federal Medical Assistance Percentage (FMAP).

SECTION 14.2030. — To the Department of Social Services

In reference to all sections, except Section 14.277, in Part 1 and Part 2 of this act:

No funds shall be expended to any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital.

Bill Totals

General Revenue Fund.....	\$401,509,016
Federal Funds.....	4,128,919,588
Other Funds.....	<u>45,253,427</u>
Total.....	\$4,575,682,031

Approved February 24, 2022

CCS SCS HCS HB 3015

Appropriates money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government

AN ACT to appropriate money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2022.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period ending June 30, 2022, as follows:

PART 1

SECTION 15.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part. Part 3 of this act shall consist of guidance to the Department of Elementary and Secondary Education and the Department of Social Services in implementing the appropriations found in Part 1 and Part 2 of this act.

SECTION 15.005. — To the Department of Elementary and Secondary Education For distributions to the free public schools of \$1,888,990 under the School Foundation Program as provided in Chapter 163, RSMo, provided that no funds are used to support the distribution or sharing of any individually identifiable student data for non-educational purposes, marketing or advertising, as follows:

For the Foundation Formula, provided that the State Adequacy Target pursuant to Section 163.011 RSMo, shall not exceed \$6,375

From General Revenue Fund (0101) \$1,888,990

SECTION 15.007. — To the Department of Elementary and Secondary Education For a summer learning program, including summer enrichment programs provided by community-based organizations

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Department of Elementary and Secondary Education Federal
Emergency Relief 2021 Fund (2434)..... \$20,000,000

SECTION 15.010. — To the Department of Elementary and Secondary Education
For distributions of the Governor's Emergency Education Relief funds to the free
public schools under the Coronavirus Response and Relief Supplemental
Appropriations Act

From Department of Elementary and Secondary Education Federal
Emergency Relief Fund (2305) \$4,210,758

SECTION 15.015. — To the Department of Elementary and Secondary Education
For distributions to the public elementary and secondary schools in this state,
pursuant to Chapters 144, 163, and 164, RSMo, pertaining to the School
District Trust Fund

From School District Trust Fund (0688) \$153,891,000

SECTION 15.020. — To the Department of Elementary and Secondary Education
For the Missouri Project AWARE program to address the mental health needs
of youth

Personal Service..... \$25,644
Expense and Equipment..... 1,732,577

From Elementary and Secondary Education - Federal Fund (0105)
(Not to exceed 0.50 F.T.E.)..... \$1,758,221

SECTION 15.025. — To the Department of Elementary and Secondary Education
For improving the academic achievement of the disadvantaged programs
operated by local education agencies under Title I of the Elementary and
Secondary Education Act of 1965 as amended by the Every Student
Succeeds Act of 2015

From Elementary and Secondary Education - Federal Fund (0105)..... \$27,000,000

SECTION 15.030. — To the Department of Elementary and Secondary Education
For the homeless children and youth program as authorized by the American
Rescue Plan Act

From Department of Elementary and Secondary Education Federal
Emergency Relief 2021 Fund (2434)..... \$12,822,529

SECTION 15.035. — To the Department of Elementary and Secondary Education
For distributions of charter school refunds

From General Revenue Fund (0101) \$808,053

SECTION 15.040. — To the Department of Elementary and Secondary Education
For the Special Education Program

From Department of Elementary and Secondary Education Federal
Emergency Relief 2021 Fund (2434)..... \$46,541,208

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 15.045. — To the Department of Elementary and Secondary Education

For the Office of Childhood

Personal Service.....\$183,315

Expense and Equipment.....507,022

From Child Care and Development Block Grant Federal Fund (0168)..... 690,337

Personal Service..... 22,323

Expense and Equipment.....7,022

From Department of Elementary and Secondary Education Federal

Stimulus Fund (2300)..... 29,345

Personal Service..... 22,323

Expense and Equipment.....7,022

From Department of Elementary and Secondary Education Federal

Stimulus - 2021 Fund (2436)..... 29,345

Total (Not to exceed 5.00 F.T.E.).....\$749,027

SECTION 15.050. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For the Early Childhood Special Education Program

From Department of Elementary and Secondary Education Federal

Emergency Relief 2021 Fund (2434).....\$3,253,268

SECTION 15.055. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For the early childhood comprehensive system

From Elementary and Secondary Education - Federal Fund (0105).....\$255,600

SECTION 15.060. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For receiving and expending early childhood education grants

From Elementary and Secondary Education - Federal Fund (0105).....\$6,000,000

SECTION 15.065. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For the First Steps Program

From Part C Early Intervention Fund (0788).....\$8,500,000

From Department of Elementary and Secondary Education Federal

Stimulus - 2021 Fund (2436).....3,706,223

Total.....\$12,206,223

SECTION 15.070. — To the Department of Elementary and Secondary Education

For the Office of Childhood

For the purpose of providing home visiting services and health and safety
services and education through local implementing agencies and for the
administration of the Parent Advisory Council

From Elementary and Secondary Education - Federal Fund (0105).....\$2,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Department of Elementary and Secondary Education Federal Stimulus - 2021 Fund (2436).....	365,000
Total.....	\$2,365,000

SECTION 15.072. — To the Department of Elementary and Secondary Education
For the Office of Childhood

For child care subsidy payments for low-income families, provided that the income thresholds for childcare subsidies shall be a full traditional subsidy benefit for individuals with an income which is less than or equal to 150 percent of the federal poverty level; a transitional benefit of 80 percent for individuals with an income which is less than or equal to 185 percent of the federal poverty level but greater than 150 percent of the federal poverty level; a transitional benefit of 60 percent for individuals with an income which is less than or equal to 215 percent of the federal poverty level but greater than 185 percent of federal poverty level, and further provided that a traditional or transitional child care subsidy benefit regardless of previously qualifying for a traditional or transitional benefit for a child care subsidy, and further provided that the established sliding fee that provides for cost sharing by families that receive subsidy services be waived for the participant and paid by the department to providers from this appropriation; and to provide childcare subsidies for children under the care, custody, or involved with the Department of Social Services - Children's Division and children adopted or under legal guardianship through Children's Division, and further provided that the subsidy paid by the Children's Division to providers on behalf of children in foster care shall be fixed to the market rate by region and provider-type, in accordance with the latest market rate study performed by or for the Division, and further provided that payments to providers shall be made in full and no more than two weeks in arrears

From Child Care and Development Block Grant Federal Fund (0168).....	\$22,018,185
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SECTION 15.075. — To the Department of Higher Education and Workforce
Development

For the Missouri Guaranteed Student Loan Program
Payment of fees for collection of defaulted loans

From Guaranty Agency Operating Fund (0880).....	\$6,000,000
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SECTION 15.080. — To the Department of Higher Education and Workforce
Development

Funds are to be transferred out of the State Treasury to the Guaranty Agency
Operating Fund

From Federal Student Loan Reserve Fund (0881).....	\$5,000,000
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SECTION 15.085. — To the Department of Revenue

For collecting highway related fees and taxes

Expense and Equipment

From State Highways and Transportation Department Fund (0644).....	\$226,204
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 15.090. — To the Department of Revenue	
For the Division of Taxation	
Expense and Equipment	
From General Revenue Fund (0101)	\$432,770
SECTION 15.095. — To the Department of Revenue	
For distribution to cities and counties of all funds accruing to the Motor Fuel Tax	
Fund under the provisions of Sections 30(a) and 30(b), Article IV, of the	
Constitution of Missouri	
From Motor Fuel Tax Fund (0673)	\$20,829,687
SECTION 15.100. — To the Department of Revenue	
For refunds and distributions of motor fuel taxes	
From State Highways and Transportation Department Fund (0644)	\$227,000
SECTION 15.105. — To the Department of Revenue	
Funds are to be transferred out of the State Treasury to the General Revenue	
Fund in the amount of sixty-six hundredths percent of the funds received	
From Parks Sales Tax Fund (0613)	\$28,132
SECTION 15.110. — To the Department of Revenue	
Funds are to be transferred out of the State Treasury to the General Revenue	
Fund in the amount of sixty-six hundredths percent of the funds received	
From Soil and Water Sales Tax Fund (0614)	\$28,132
SECTION 15.115. — To the Department of Revenue	
Funds are to be transferred out of the State Treasury, chargeable to the	
General Revenue Fund, to the State Highways and Transportation	
Department Fund, for reimbursement of collection expenditures in excess of	
the three percent (3%) limit established by Article IV, Section 29, 30(a),	
30(b), and 30(c) of the Constitution of Missouri	
From General Revenue Fund (0101)	\$703,719
SECTION 15.120. — To the Department of Revenue	
For payments to vendors for costs of the design, manufacture, licensing, leasing,	
processing, and delivery of games administered by the State Lottery	
Commission, excluding any payments for advertising, sponsorships, or	
promotions	
From Lottery Enterprise Fund (0657)	\$5,359,864
SECTION 15.125. — To the Department of Revenue	
For the State Lottery Commission	
For the payment of prizes	
From State Lottery Fund (0682)	\$28,730,637
SECTION 15.130. — To the Department of Revenue	
Funds are to be transferred out of the State Treasury to the Lottery Proceeds Fund	
From State Lottery Fund (0682)	\$62,128,327

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 15.135. — To the Department of Transportation

For the Maintenance Program

For preserving and maintaining the state system of roads and bridges and coordinated facilities authorized under Article IV, Section 30(b) of the Constitution of Missouri and for acquiring materials, equipment, and buildings necessary for such purposes and for other purposes and contingencies related to the preservation, maintenance, and safety of highways and bridges

Expense and Equipment

From State Road Fund (0320) \$1,000,000

SECTION 15.140. — To the Department of Transportation

For Fleet, Facilities, and Information Systems

For constructing, preserving, and maintaining the state system of roads and bridges and coordinated facilities authorized under Article IV, Section 30(b) of the Constitution of Missouri and for acquiring materials, equipment, and buildings necessary for such purposes and for other purposes and contingencies related to the construction, preservation, and maintenance of highways and bridges

Expense and Equipment

From State Road Fund (0320) \$1,700,000

SECTION 15.150. — To the Department of Transportation

For the Aviation Program

For assistance to airport sponsors to prevent, prepare for, and respond to COVID-19, including costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments, pursuant to the provisions of the American Rescue Plan Act of 2021

From Department of Transportation Federal Stimulus - 2021 Fund (2443)..... \$500,000

SECTION 15.155. — To the Department of Transportation

For the Waterways Program

For grants to port authorities for assistance in port planning, acquisition, or construction within the port districts

From State Transportation Fund (0675) \$200,000

SECTION 15.160. — To the Office of Administration

For the Commissioner's Office

For a Prescription Drug Monitoring Program

Personal Service..... \$36,250

Expense and Equipment..... 18,038

From General Revenue (0101) (Not to exceed 0.50 F.T.E.)..... \$54,288

SECTION 15.165. — To the Office of Administration

For the Information Technology Services Division, provided three percent (3%) flexibility is allowed from this section to Section 5.140, and further provided

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twenty-five percent (25%) flexibility is allowed between, and within personal service and expense and equipment within Section 5.025, provided twenty-five percent (25%) flexibility is allowed between and within departments' general revenue fund, twenty-five percent (25%) flexibility is allowed between and within departments' federal funds, and twenty-five percent (25%) flexibility is allowed between and within departments' other funds

For the Department of Economic Development	
Personal Service.....	\$289,360
Expense and Equipment.....	<u>437,614</u>
From General Revenue Fund (0101)	726,974
For the Department of Labor and Industrial Relations	
Personal Service.....	339,145
Expense and Equipment.....	<u>1,002,955</u>
From Department of Labor and Industrial Relations	
Federal Stimulus - 2021 Fund (2452)	1,342,100
For the Department of Health and Senior Services Division	
Expense and Equipment	
From Department of Health and Senior Services Federal Stimulus	
Fund (2350).....	766,810
From Department of Health and Senior Services Federal	
Stimulus - 2021 Fund (2457).....	<u>13,058</u>
Total (Not to exceed 3.55 F.T.E.).....	\$2,848,942

SECTION 15.172. — To the Office of Administration

For the Division of Facilities Management, Design and Construction Asset Management	
For any and all expenditures necessary for funding the operations of state-owned office buildings and institutional facilities	
From State Facility Maintenance and Operation Fund (0501).....	\$1,792,305

SECTION 15.175. — To the Office of Administration

For the administrative, promotional, and programmatic costs of the Children's Trust Fund Board, as provided by Section 210.173, RSMo, provided twenty-five (25%) flexibility is allowed between expense and equipment and program distributions	
Expense and Equipment.....	\$200,000
Program Specific Distribution	<u>300,000</u>
From Office of Administration Federal Stimulus - 2021 Fund (2445)	\$500,000

SECTION 15.180. — To the Office of Administration

For transferring funds for state employees and participating political subdivisions to the OASDHI Contributions Fund	
From General Revenue Fund (0101)	\$7,839,127

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SECTION 15.185. — To the Office of Administration

For transferring funds for state's contribution to the Missouri State Employees'
Retirement System to the State Retirement Contributions Fund

From General Revenue Fund (0101)\$27,200,485

SECTION 15.190. — To the Office of Administration

For transferring funds for state's contribution to the Missouri Consolidated
Health Care Plan to the Missouri Consolidated Health Care Plan Benefit
Fund

From General Revenue Fund (0101)\$27,516,565

SECTION 15.205. — To the Department of Economic Development

For the Business and Community Services Division

For the Missouri Community Service Commission

Personal Service..... \$14,500

Expense and Equipment..... 618,094

From Community Service Commission Fund (0197) 632,594

Expense and Equipment

From Department of Economic Development Federal

Stimulus - 2021 Fund (2451)..... 323,100

Total..... \$955,694

SECTION 15.210. — To the Department of Economic Development

For the Division of Tourism

Expense and Equipment

From Division of Tourism Supplemental Revenue Fund (0274).....\$5,000,000

SECTION 15.215. — To the Department of Labor and Industrial Relations

Funds are to be transferred out of the State Treasury, for payment of
administrative costs, to the Department of Labor and Industrial Relations
Administrative Fund

From Department of Labor and Industrial Relations Federal Stimulus -

2021 Fund (2452) \$91,894

SECTION 15.220. — To the Department of Labor and Industrial Relations

Funds are to be transferred out of the State Treasury, for payment of
administrative costs charged by the Office of Administration, to the
Department of Labor and Industrial Relations Administrative Fund

From Department of Labor and Industrial Relations Federal Stimulus -

2021 Fund (2452) \$87,237

SECTION 15.225. — To the Department of Labor and Industrial Relations

Funds are to be transferred out of the State Treasury to the Line of Duty
Compensation Fund, provided three percent (3%) flexibility is allowed from
this section to Section 7.910

From General Revenue Fund (0101) \$150,000

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SECTION 15.230. — To the Department of Labor and Industrial Relations	
For the Line of Duty Compensation Fund as provided in Section 287.243 RSMo	
From Line of Duty Compensation Fund (0939)	\$150,000
SECTION 15.240. — To the Department of Labor and Industrial Relations	
Funds are to be transferred out of the State Treasury, pursuant to Section	
537.675, RSMo, to the Basic Civil Legal Services Fund	
From Tort Victims' Compensation Fund (0622)	\$126,090,258
SECTION 15.245. — To the Department of Labor and Industrial Relations	
For the Division of Employment Security, provided twenty-five percent (25%)	
flexibility is allowed between personal service and expense and equipment	
Personal Service	\$707,500
Expense and Equipment	<u>706,250</u>
From Department of Labor and Industrial Relations Federal Stimulus -	
2021 Fund (2452)	\$1,413,750
SECTION 15.247. — To the Department of Public Safety	
For the Office of Director	
To provide financial assistance to the spouses, children, and other	
dependents of any local law enforcement officers, paramedics, emergency	
medical technicians, corrections officers, and/or firefighters who have lost	
their lives performing their duties; deaths from natural causes, illnesses, or	
injuries are outside the program's scope	
From General Revenue Fund (0101)	\$20,000
SECTION 15.250. — To the Department of Public Safety	
For the Office of the Director	
For the Crime Victims' Compensation Program	
From General Revenue Fund (0101)	\$202,000
From Department of Labor and Industrial Relations - Crime Victims - Federal	
Fund (0191)	300,000
For reimbursing SAFE-Care providers for performing forensic medical exams	
on children suspected of having been physically abused	
Expense and Equipment	
From General Revenue Fund (0101)	<u>19,340</u>
Total	\$521,340
SECTION 15.255. — To the Department of Public Safety	
For the Missouri Veterans' Commission	
For Missouri Veterans' Homes	
From Department of Public Safety Federal Stimulus Fund (2330)	\$4,300,000

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Matter in bold-face type is proposed language.

SECTION 15.260. — To the Department of Public Safety

For matching funds for federal grants and for emergency assistance expenses of
the State Emergency Management Agency as provided in Section 44.032,
RSMo

From General Revenue Fund (0101)\$2,693,307

SECTION 15.265. — To the Department of Corrections

For the Office of the Director

For restitution payments for those wrongly convicted

From General Revenue Fund (0101)\$35,405

SECTION 15.270. — To the Department of Corrections

For the Division of Adult Institutions

For expenses and small equipment purchased at any of the adult institutions
department-wide

From General Revenue Fund (0101)\$525,541

SECTION 15.275. — To the Department of Corrections

For the Division of Offender Rehabilitative Services

For contractual services for offender physical and mental health care

Expense and Equipment

From General Revenue Fund (0101)\$15,384,089

SECTION 15.277. — To the Department of Corrections

For operating department institutional canteens for offender use and benefit; per
Section 217.195, RSMo, fund expenditures are solely to improve offender
recreational, religious, or educational services, and for canteen cash flow and
operating expenses

Expense and Equipment

From Inmate Canteen Fund (0405).....\$3,000,000

SECTION 15.285. — To the Department of Mental Health

For the Division of Behavioral Health

For prevention and education services

From Department of Mental Health Federal Stimulus - 2021 Fund (2455)\$799,634

SECTION 15.290. — To the Department of Mental Health

For the Division of Behavioral Health

For treatment of alcohol and drug abuse, provided fifty percent (50%) flexibility
is allowed between sections indicated in 15.290, 15.295, 15.300, and 15.310
to allow flexibility in payment for the Certified Community Behavioral
Health Clinic Prospective Payment System

From Department of Mental Health Federal Stimulus - 2021 Fund (2455)\$3,126,841

For substance use COVID-19 testing and mitigation services

From Department of Mental Health Federal Stimulus - 2021 Fund (2455) 382,132

Total.....\$3,508,973

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Matter in bold-face type is proposed language.

SECTION 15.295. — To the Department of Mental Health
 For the Division of Behavioral Health
 For treatment of alcohol and drug abuse for payment of services to Certified
 Community Behavioral Health Organizations, provided fifty percent (50%)
 flexibility is allowed between sections indicated in 15.290, 15.295, 15.300,
 and 15.310
 From Title XXI - Children's Health Insurance Program Federal Fund (0159) \$1,489,901

SECTION 15.300. — To the Department of Mental Health
 For the Division of Behavioral Health
 For adult community programs, provided fifty percent (50%) flexibility is
 allowed between sections indicated in 15.290, 15.300, 15.305, and 15.310
 to allow flexibility in payment for the Certified Community Behavioral
 Health Clinic Prospective Payment System
 From Department of Mental Health Federal Stimulus - 2021 Fund (2455) \$2,711,150

SECTION 15.305. — To the Department of Mental Health
 For the Division of Behavioral Health
 For adult community programs for payment of services to Certified Community
 Behavioral Health Organizations, provided fifty percent (50%) flexibility is
 allowed between sections indicated in 15.290, 15.300, 15.305, and 15.310
 From Title XXI - Children's Health Insurance Program Federal Fund (0159) \$11,183,498

SECTION 15.310. — To the Department of Mental Health
 For the Division of Behavioral Health
 For youth community programs, provided fifty percent (50%) flexibility is
 allowed between sections indicated in 15.290, 15.300, 15.310, and 15.315
 to allow flexibility in payment for the Certified Community Behavioral
 Health Clinic Prospective Payment System
 From Department of Mental Health Federal Stimulus - 2021 Fund (2455) \$220,500

SECTION 15.315. — To the Department of Mental Health
 For the Division of Behavioral Health
 For youth community programs for payment of services to Certified Community
 Behavioral Health Organizations, provided fifty percent (50%) flexibility is
 allowed between sections indicated in 15.290, 15.300, 15.310, and 15.315
 From Title XXI - Children's Health Insurance Program Federal Fund (0159) \$2,784,922

SECTION 15.320. — To the Department of Mental Health
 For the Division of Behavioral Health
 For the purchase and administration of new medication therapies
 From Department of Mental Health Federal Stimulus - 2021 Fund (2455) \$78,750

SECTION 15.325. — To the Department of Mental Health
 For the Division of Developmental Disabilities
 For community programs
 From HCBS FMAP Enhancement Fund (2444) \$120,785

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From Title XXI - Children's Health Insurance Program Federal Fund (0159)	<u>2,460,000</u>
Total.....	<u>\$2,580,785</u>

SECTION 15.330. — To the Department of Mental Health

For the Division of Developmental Disabilities

For developmental disabilities services

From Department of Mental Health Federal Stimulus Fund (2345) \$71,072

SECTION 15.335. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Brain Injury Waiver

From General Revenue Fund (0101) \$19,064

From Department of Health and Senior Services Federal Fund (0143)..... 59,409

From HCBS FMAP Enhancement Fund (2444) 11,527Total..... \$90,000**SECTION 15.337.** — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Ryan White Program, provided the eligible income requirement is at or
below three hundred percent (300%) of the Federal Poverty Level (FPL)

From General Revenue Fund (0101) \$1,404,834

SECTION 15.340. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For the Show-Me Healthy Women's program in Missouri

From Department of Health and Senior Services Federal Fund (0143)..... \$950,000

SECTION 15.345. — To the Department of Health and Senior Services

For the Division of Community and Public Health

For other Office of Rural Health and Primary Care programs and related
expenses

Expense and Equipment

From Department of Health and Senior Services Federal Fund (0143)..... \$310,000

SECTION 15.355. — To the Department of Health and Senior Services

For the Division of Community and Public Health

To address coronavirus preparedness, response, and mitigation efforts,
including, but not limited to, testing, tracing, reporting, and related expenses

Personal Service..... \$125,133

Expense and Equipment..... 11,300,753

From Department of Health and Senior Services Federal Stimulus

- 2021 Fund (2457)..... \$11,425,886

SECTION 15.365. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For providing consumer directed personal care assistance services at a rate not
to exceed sixty percent (60%) of the average monthly Medicaid cost of
nursing facility care, provided ten percent (10%) flexibility is allowed

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between this section and Section 15.370 to allow flexibility within the
 Medicaid Home and Community Based Services Program
 Expense and Equipment
 From HCBS FMAP Enhancement Fund (2444)\$3,170,849

SECTION 15.370. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For respite care, homemaker chore, personal care, adult day care, AIDS, children's waiver services, home-delivered meals, Programs of All Inclusive Care for the Elderly, the Structured Family Caregiver Waiver, other related services, and program management under the Medicaid fee-for-service and managed care programs. Provided that individuals eligible for or receiving nursing home care must be given the opportunity to have those Medicaid dollars follow them to the community to the extent necessary to meet their unmet needs as determined by 19 CSR 30 81.030 and further be allowed to choose the personal care program option in the community that best meets the individuals' unmet needs, provided ten percent (10%) flexibility is allowed between this section and Section 15.365 to allow flexibility within the Medicaid Home and Community Based Services Program, and further provided that individuals eligible for the Medicaid Personal Care Option must be allowed to choose, from among all the program options, that option which best meets their unmet needs as determined by 19 CSR 30 81.030; and also be allowed to have their Medicaid funds follow them to the extent necessary to meet their unmet needs whichever option they choose. This language does not create any entitlements not established by statute

Expense and Equipment
 From HCBS FMAP Enhancement Fund (2444)\$2,457,314

SECTION 15.375. — To the Department of Health and Senior Services

For the Division of Senior and Disability Services

For the Ombudsman Program operated by the Area Agencies on Aging or their service providers

Expense and Equipment
 From Department of Health and Senior Services Federal Stimulus
 - 2021 Fund (2457)\$187,480

SECTION 15.380. — To the Department of Health and Senior Services

Funds are to be transferred out of the State Treasury, for health and care services for military veterans as provided by Article XIV, Section 1 of the Missouri Constitution, to the Missouri Veterans' Homes Fund

From Missouri Veterans' Health and Care Fund (0606)\$5,000,000

SECTION 15.384. — To the Department of Social Services

For the Office of the Director

For the Director's Office, Children's Division Residential Program Unit

For administrative expenses

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Personal Service.....	\$155,595
Expense and Equipment.....	<u>172,391</u>
From General Revenue Fund (0101) (Not to exceed 3.75 F.T.E.)	\$327,986

SECTION 15.385. — To the Department of Social Services

For the Division of Finance and Administrative Services

For the receipt and disbursement of refunds and incorrectly deposited receipts to allow the over-collection of accounts receivables to be paid back to the recipient, provided twenty-five percent (25%) flexibility is allowed between federal and other funds within this section

From Victims of Crime Act Federal Fund (0146)	\$300,000
From Title XXI - Children's Health Insurance Program Federal Fund (0159)	1,500,000
From Child Care and Development Block Grant Federal Fund (0168).....	25,000
From Department of Social Services Federal Stimulus Fund (2355).....	450,000
From Department of Social Services Federal Stimulus - 2021 Fund (2456).....	<u>900,000</u>
Total.....	\$3,175,000

SECTION 15.390. — To the Department of Social Services

For the Division of Legal Services

Personal Service.....	\$58,896
Expense and Equipment.....	<u>45,971</u>
From General Revenue Fund (0101) (Not to exceed 1.00 F.T.E.)	\$104,867

SECTION 15.395. — To the Department of Social Services

For the Division of Legal Services

For permanency attorneys and permanency attorney contracted services, including reunifications, guardianship, adoption, or termination of parental rights, for children in the care, custody, or involved with the Children's Division

From Department of Social Services Federal Stimulus Fund (2355).....	\$484,182
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SECTION 15.400. — To the Department of Social Services

For the Family Support Division

For the income maintenance field staff and operations

Expense and Equipment.....
From Department of Social Services Federal Stimulus - 2021 Fund (2456).....	\$6,249,049

SECTION 15.405. — To the Department of Social Services

For the Family Support Division

For the electronic benefit transfers (EBT) system

From Department of Social Services Federal Stimulus Fund (2355).....	\$3,513,136
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SECTION 15.410. — To the Department of Social Services

For the Family Support Division

For the Missouri Eligibility Determination and Enrollment System (MEDES)

For the design, development, implementation, maintenance and operation costs for the family Medicaid and Children's Health Insurance Program (CHIP)

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eligibility categories under the Modified Adjusted Gross Income (MAGI)
 based methodology
 Expense and Equipment
 From Department of Social Services Federal Fund (0610).....\$2,613,263

SECTION 15.415. — To the Department of Social Services
 For the Family Support Division
 For the Low-Income Household Drinking Water and Wastewater Emergency
 Assistance Program, provided the eligible household income does not
 exceed one hundred and fifty percent (150%) of the federal poverty level or
 sixty percent (60%) of the state median income (SMI)
 From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$9,687,425

SECTION 15.420. — To the Department of Social Services
 For the Family Support Division
 For grants to not-for-profit organizations for services and programs to assist
 victims of domestic and sexual violence
 Expense and Equipment
 From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$11,249,804

SECTION 15.425. — To the Department of Social Services
 For the Family Support Division
 For services for the visually impaired
 From Department of Social Services Federal Stimulus Fund (2355).....\$3,198

SECTION 15.426. — To the Department of Social Services
 For the Children's Division
 Expense and Equipment
 From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$929,438

SECTION 15.431. — To the Department of Social Services
 For the Children's Division
 For specialized investigation skills training
 From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$650,607

SECTION 15.432. — To the Department of Social Services
 For the Children's Division
 For prevention of human trafficking
 From Department of Social Services Federal Stimulus - 2021 Fund (2456).....\$278,833

SECTION 15.435. — To the Department of Social Services
 For the Children's Division
 For children's treatment services, including, but not limited to, home-based
 services, day treatment services, preventive services, family reunifications
 services, or intensive in-home services, provided ten percent (10%)
 flexibility is allowed between Sections 15.435, 15.440, and 15.450
 From General Revenue Fund (0101)\$529,344

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SECTION 15.440. — To the Department of Social Services

For the Children's Division

For foster care maintenance payments, provided ten percent (10%) flexibility is allowed between Sections 15.435, 15.440, and 15.450

From General Revenue Fund (0101)	\$5,792,613
From Alternative Care Trust Fund (0905).....	<u>2,000,000</u>
Total.....	\$7,792,613

SECTION 15.445. — To the Department of Social Services

For the Children's Division

For the comprehensive case management contracts through community-based organizations as described in Section 210.122, RSMo; the purpose of these contracts shall be to provide a system of care for children living in foster care, independent living, or residential care settings; services eligible under this provision may include but are not limited to, case management, foster care, residential treatment, intensive in-home services, family reunifications services, and specialized recruitment and training of foster care families

From General Revenue Fund (0101)	\$892,220
From Department of Social Services Federal Fund (0610).....	<u>736,583</u>
Total.....	\$1,628,803

SECTION 15.450. — To the Department of Social Services

For the Children's Division

For adoption subsidy payments, provided ten percent (10%) flexibility is allowed between Sections 15.435, 15.440, and 15.450

From Department of Social Services Federal Fund (0610).....	\$363,936
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SECTION 15.455. — To the Department of Social Services

For the Division of Youth Services

For treatment services, including foster care and contractual payments, provided up to \$500,000 can be used for juvenile court diversion

Personal Service.....	\$800,000
Expense and Equipment.....	<u>1,125,000</u>
From Department of Social Services Federal Fund (0610).....	\$1,925,000

SECTION 15.460. — To the Department of Social Services

For the MO HealthNet Division

For the Money Follow the Person Program

From Department of Social Services Federal Fund (0610).....	\$1,000,000
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SECTION 15.465. — To the Department of Social Services

For the MO HealthNet Division

For pharmaceutical payments under the MO HealthNet fee-for-service program, professional fees for pharmacists, and for a comprehensive chronic care risk management program, provided ten percent (10%) flexibility is allowed between Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From Title XXI - Children's Health Insurance Program Federal Fund (0159).....	\$28,795,199
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 15.470. — To the Department of Social Services

For the MO HealthNet Division

For physician services and related services including, but not limited to, clinic and podiatry services, telemedicine services, physician-sponsored services and fees, laboratory and x-ray services, asthma related services, diabetes prevention and obesity related services, services provided by chiropractic physicians, and family planning services under the MO HealthNet fee-for-service program, and for a comprehensive chronic care risk management program, and Major Medical Prior Authorization, and the Program of All-Inclusive Care for the Elderly, provided ten percent (10%) flexibility is allowed between this subsection and Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From Title XXI- Children's Health Insurance Program Federal Fund (0159).....\$1,558,546

SECTION 15.475. — To the Department of Social Services

For home health for the elderly under the MO HealthNet fee-for-service program, provided ten percent (10%) flexibility is allowed between this subsection and Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From General Revenue Fund (0101) \$2,039

From Title XIX - Federal Fund (0163)..... 3,961

Total..... \$6,000

SECTION 15.480. — To the Department of Social Services

For the MO HealthNet Division

For all other non-institutional services including, but not limited to, rehabilitation, optometry, audiology, ambulance, non-emergency medical transportation, durable medical equipment, and eyeglasses under the MO HealthNet fee-for-service program, and for rehabilitation services provided by residential treatment facilities as authorized by the Children's Division for children in the care and custody of the Children's Division, provided ten percent (10%) flexibility is allowed between Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From General Revenue Fund (0101)\$11,358,716

From Title XIX - Federal Fund (0163)..... 2,571,661

Total.....\$13,930,377

SECTION 15.485. — To the Department of Social Services

For the MO HealthNet Division

For payment to comprehensive prepaid health care plans as provided by federal or state law or for payments to programs authorized by the Frail Elderly Demonstration Project Waiver as provided by the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508, Section 4744) and by Section 208.152 (16), RSMo, provided that the department shall implement programs or measures to achieve cost-savings through emergency room

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services reform, and further provided that MO HealthNet eligibles described in Section 501(a)(1)(D) of Title V of the Social Security Act may voluntarily enroll in the Managed Care Program, and further provided ten percent (10%) flexibility is allowed between this section and Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From General Revenue Fund (0101)\$2,524,522

SECTION 15.490. — To the Department of Social Services

For the MO HealthNet Division

For hospital care under the MO HealthNet fee-for-service program, graduate medical education, and for a comprehensive chronic care risk management program, provided that the MO HealthNet Division shall track payments to out-of-state hospitals by location, and further provided the department seek a waiver of the institutions for mental disease (IMD) exclusion for inpatient mental health treatment for MO HealthNet participants in psychiatric hospitals pursuant to Section 12003 of the 21st Century Cures Act with the state share through the federal reimbursement allowance, provided ten percent (10%) flexibility is allowed between Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From General Revenue Fund (0101)\$718,044

From Title XIX - Federal Fund (0163)..... 1,416,450

Total.....\$2,134,494

SECTION 15.495. — To the Department of Social Services

For the MO HealthNet Division

For health homes, provided ten percent (10%) flexibility is allowed between this subsection and Sections 15.465, 15.470, 15.475, 15.480, 15.485, 15.490, and 15.495

From Title XXI - Children's Health Insurance Program Federal Fund (0159).....\$287,787

SECTION 15.500. — To the Department of Social Services

For the MO HealthNet Division

For payments to hospitals under the Federal Reimbursement Allowance Program including state costs to pay for an independent audit of Disproportionate Share Hospital payments as required by the Centers for Medicare and Medicaid Services, for the expenses of the Poison Control Center in order to provide services to all hospitals within the state, and for the Gateway to Better Health 1115 Demonstration

From Title XXI - Children's Health Insurance Program Federal Fund (0159).....\$103,540,136

SECTION 15.510. — To the Supreme Court

For funding court improvement projects and receiving grants and contributions of funds from the federal government or from any other source which may be deposited into the State Treasury for use of the Supreme Court and other state courts

From Basic Civil Legal Services Fund (0757).....\$126,090,258

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Matter in bold-face type is proposed language.

SECTION 15.512. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For the operation of state-owned facilities, utilities, systems furniture, and structural modifications, provided five percent (5%) flexibility is allowed between Section 15.512 and 15.513, with five percent (5%) flexibility allowed between and within departments and one hundred percent (100%) flexibility between federal funds within this section

For the Department of Elementary and Secondary Education

Expense and Equipment

From General Revenue Fund (0101) \$9,960

From Vocational Rehabilitation Fund (0104) 30,407

From DESE – Federal Fund (0105) 10,667

For the Department of Higher Education and Workforce Development

Expense and Equipment

From General Revenue Fund (0101) 5,160

From Job Development and Training Fund (0155) 14,191

For the Department of Revenue

Expense and Equipment

From General Revenue Fund (0101) 54,410

For the Office of Administration

Expense and Equipment

From General Revenue Fund (0101) 97,907

From State Facility Maintenance and Operation Fund (0501) 12,573

From Children's Trust Fund (0694) 668

For the Department of Agriculture

Expense and Equipment

From General Revenue Fund (0101) 2,633

From Department of Agriculture - Federal Fund (0133) 724

From Animal Health Laboratory Fee Fund (0292) 1,006

From Animal Care Reserve Fund (0295) 90

From Single - Purpose Animal Facilities Loan Program Fund (0408) 102

From Commodity Council Merchandising Fund (0406) 86

From Industrial Hemp Fund (0476) 84

From State Milk Inspection Fees Fund (0645) 112

From Grain Inspection Fees Fund (0647) 96

From Petroleum Inspection Fund (0662) 3,013

From Missouri Wine and Grape Fund (0787) 277

From Agriculture Development Fund (0904) 40

From Agriculture Protection Fund (0970) 7,714

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Matter in bold-face type is proposed language.

For the Department of Natural Resources

Expense and Equipment

From General Revenue (0101).....	9,937
From DNR - Federal Fund (0140)	7,274
From DNR Cost Allocation Fund (0500).....	2,164
From Missouri Air Emission Reduction Fund (0267).....	1,235
From Natural Resources Protection Fund - Water Pollution Permit Fee	
Subaccount (0568).....	3,336
From Solid Waste Management Fund - Scrap Tire Subaccount (0569).....	225
From Solid Waste Management Fund (0570).....	531
From Metallic Minerals Waste Management Fund (0575).....	7
From Natural Resources Protection Fund - Air Pollution Asbestos Fee	
Subaccount (0584).....	73
From Natural Resources Protection Fund - Air Pollution Permit Fee	
Subaccount (0594).....	2,210
From Soil and Water Sales Tax Fund (0614).....	933
From Energy Set-Aside Program Fund (0667).....	834
From Hazardous Waste Fund (0676).....	813
From Safe Drinking Water Fund (0679)	3,283
From Mined Land Reclamation Fund (0906)	285
From Energy Futures Fund (0935).....	20

For the Department of Economic Development

Expense and Equipment

From General Revenue (0101).....	6,336
From Division of Tourism Supplemental Revenue Fund (0274).....	3,844
From Department of Economic Development Administrative Fund (0547).....	799

For the Department of Commerce and Insurance

From Expense and Equipment

From Division of Credit Unions Fund (0548).....	794
From Division of Finance Fund (0550).....	5,412
From Insurance Examiners Fund (0552).....	2,874
From Insurance Dedicated Fund (0566).....	9,970
From Public Service Commission Fund (0607).....	3,044
From Professional Registration Fees Fund (0689)	6,455

For the Department of Labor and Industrial Relations

Expense and Equipment

From General Revenue (0101).....	1,823
From DOLIR - Commission on Human Rights - Federal Fund (0117).....	1,975
From DOLIR Administrative Fund (0122)	15,064
From Division of Labor Standards - Federal Fund (0186).....	170
From Workers' Compensation Fund (0652)	14,398
From Unemployment Compensation Administration Fund (0948)	16,836
From Special Employment Security Fund (0949)	9,177

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For the Department of Public Safety	
Expense and Equipment	
From General Revenue (0101)	7,607
From Veterans' Commission Capital Improvement Trust Fund (0304)	3,148
From Division of Alcohol and Tobacco Control Fund (0544)	3,378
For the Department of Public Safety	
For the State Highway Patrol	
Expense and Equipment	
From State Highways and Transportation Department Fund (0644)	5,012
For the Department of Public Safety	
For the Gaming Division	
Expense and Equipment	
From Gaming Commission Fund (0286)	2,237
For the Department of Corrections	
Expense and Equipment	
From General Revenue (0101)	29,465
For the Department of Mental Health	
Expense and Equipment	
From General Revenue (0101)	24,964
From Department of Mental Health - Federal Fund (0148)	6,026
From Health Initiatives Fund (0275)	179
For the Department of Health and Senior Services	
Expense and Equipment	
From General Revenue (0101)	26,045
From Department of Health and Senior Services - Federal Fund (0143)	31,768
For the Department of Social Services	
Expense and Equipment	
From General Revenue (0101)	154,105
From Temporary Assistance for Needy Families Fund (0199)	3,530
From Health Initiatives Fund (0275)	494
From DSS Federal and Other Sources Fund (0610)	23,009
From Department of Social Services Educational Improvement Fund (0620)	152
For the Governor	
Expense and Equipment	
From General Revenue Fund (0101)	14,567
For the Lieutenant Governor	
Expense and Equipment	
From General Revenue Fund (0101)	992

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For the General Assembly	
Expense and Equipment	
From General Revenue (0101).....	53,005
For the Secretary of State	
Expense and Equipment	
From General Revenue Fund (0101)	28,484
From Secretary of State's Technology Trust Fund Account (0266)	324
From Local Records Preservation Fund (0577)	161
From Investor Education and Protection Fund (0829)	639
For the State Auditor	
Expense and Equipment	
From General Revenue Fund (0101)	5,401
For the State Treasurer	
Expense and Equipment	
From State Treasurer's General Operations Fund (0164)	5,318
For the Attorney General	
Expense and Equipment	
From General Revenue Fund (0101)	14,513
From Attorney General - Federal Fund (0136)	4,425
From Natural Resources Protection Water Pollution Permit Fee	
Subaccount Fund (0568)	275
From Workers' Compensation Fund (0652)	932
From Workers' Compensation Second Injury Fund (0653)	932
From Hazardous Waste Fund (0676)	275
For the Judiciary	
Expense and Equipment	
From General Revenue (0101)	6,971
Total	\$842,384

SECTION 15.513. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For the operation of institutional facilities, utilities, systems furniture, and structural modifications, provided that five percent (5%) flexibility is allowed between Sections 15.512 and 15.513, one hundred percent (100%) flexibility is allowed between federal funds within this section

For the Department of Elementary and Secondary Education

 Expense and Equipment

From General Revenue Fund (0101)

\$126,007

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For the Department of Public Safety	
For the State Highway Patrol	
Expense and Equipment	
From General Revenue Fund (0101)	15,322
From State Highways and Transportation Department Fund (0644)	51,296
 For the Department of Mental Health	
Expense and Equipment	
From General Revenue Fund (0101)	629,304
 For the Department of Social Services	
Expense and Equipment	
From General Revenue Fund (0101)	103,674
From DSS Federal and Other Sources Fund (0610)	24,318
Total	\$949,921

SECTION 15.515. — To the Office of Administration

For the Department of Transportation

For the mitigation of the fiscal effects stemming from the COVID-19 public health emergency, through necessary investments in waste water improvements, including costs related to the connection of statewide facilities to municipal sewer systems, pursuant to the provisions of the American Rescue Plan Act of 2021

From State Road Fund (0320)

\$185,000

PART 2

SECTION 15.1000. — To the Department of Elementary and Secondary Education

In reference to Section 15.072 of Part 1 of this act: No funds shall be expended in furtherance of provider rates greater than the rate in effect on December 1, 2020, and no funds shall be expended in furtherance of traditional or transitional child care subsidy income eligibility thresholds than those provided, and further provided the child care subsidy program sliding fee schedule shall be waived for the participant and paid by the department to providers from this appropriation.

SECTION 15.1005. — To the Department of Health and Senior Services

In reference to Section 15.335 of Part 1 of this act:

No funds shall be expended in furtherance of rates for Brain Injury Waiver personal care assistant services greater than \$5.28 per unit of service.

SECTION 15.1010. — To the Department of Health and Senior Services

In reference to Sections 15.365 and 15.370 of Part 1 of this act: No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2022.

SECTION 15.1015. — To the Department of Social Services

In reference to Sections 15.435 and 15.455 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2021.

SECTION 15.1020. — To the Department of Social Services

In reference to Section 15.475 of Part 1 of this act:

No funds shall be expended in furtherance of home health provider rates greater than the rate in effect on January 1, 2021, except for home health skilled nurse visits, for which no funds shall be expended in furtherance of rates greater than 5.29% above the rate in effect on January 1, 2021.

SECTION 15.1025. — To the Department of Social Services

In reference to Section 15.480 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2021, except for providers of non-emergency medical transportation for MO HealthNet and Department of Mental Health for whom no funds shall be expended in furtherance of provider rates greater than the lower bound actuarial soundness rate, further excepting providers of hospice care, for whom no funds shall be expended in furtherance of provider rate for routine home care, continuous care, inpatient respite care, and general inpatient care greater than 2.50% above the blended rate in effect on January 1, 2021 and for whom no fund shall be expended in furtherance of rates no greater than 95% of the nursing facility per diem rate for room and board for services provided in a nursing facility, and further excepting providers of air ambulance services for whom no funds shall be expended in furtherance of 60% of the rural medicare rate.

SECTION 15.1030. — To the Department of Social Services

In reference to Section 15.485 of Part 1 of this act:

No funds shall be expended in furtherance of managed care contract rates greater than the lower bound actuarial soundness rate.

SECTION 15.1035. — To the Department of Social Services

In reference to Section 15.490 of Part 1 of this act:

No funds shall be expended in furtherance of out-of-state payments greater than the state fiscal year 2021 level.

SECTION 15.1040. — To the Department of Social Services

In reference to Section 15.495 of Part 1 of this act:

No funds shall be expended in furtherance of provider rates greater than the rate in effect on January 1, 2021, except for Certified Community Behavioral Health Clinics, for whom no funds shall be expended in furtherance of actuarial rates greater than those approved by the Department of Mental Health.

SECTION 15.1045. — To all departments

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

PART 3**SECTION 15.2000.** — To the Department of Elementary and Secondary Education

In reference to Section 15.072 of Part 1 and Part 2 of this act:

The Department shall provide written notification prior to submission to the federal government of state plans and state plan amendments, and reports, to the House Budget and Senate Appropriation Committee Chairs.

SECTION 15.2005. — To the Department of Social Services

In reference to Section 15.485 of Part 1 and Part 2 of this act:

Contract changes shall be provided in writing, prior to submission to the Centers for Medicare and Medicaid Services, to the House Budget and Senate Appropriation Committee Chairs.

SECTION 15.2010. — To the Department of Social Services

In reference to all Sections 15.384 through 15.500 of Part 1 of this act:

The Department shall provide written notification prior to submission to the federal government of state plans and state plan amendments, grant applications, and Medicaid waivers to the House Budget and Senate Appropriation Committee Chairs.

SECTION 15.2015. — To the Department of Social Services

In reference to Sections 15.384 through 15.500 of Part 1 of this act:

In reference to the Alternative Care Trust Fund (0905), the Department shall provide a quarterly accounting of the money to the parents of the child for whose benefit the funds have been received by the Department; to the guardian ad litem; and to the child, if the child is 15 or older.

Bill Totals

General Revenue Fund.....	\$110,495,441
Federal Funds.....	382,985,726
Other Funds.....	<u>357,873,406</u>
Total.....	\$851,354,573

Approved May 13, 2022

SCS HCS HB 3017

Appropriates money for capital improvement and other purposes for the several departments and offices of state government

AN ACT to appropriate money for capital improvement and other purposes for the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022, and ending June 30, 2023, the unexpended balances available as of June 30, 2022, but not to exceed the amounts stated herein, as follows:

SECTION 17.005. — To the Office of Administration

For the Department of Elementary and Secondary Education

For planning, design, repairs, replacements, improvements, and renovations to the Missouri School for the Blind

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.005, an Act of the 100th General Assembly, First Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.010, an Act of the 101st General Assembly, First Regular Session

From School for the Blind Trust Fund (0920) \$153,491

SECTION 17.010. — To the Department of Elementary and Secondary Education

For the design, renovation, construction, and improvements of vocational technical schools. Local matching funds must be provided on a 50/50 state/local match rate in order to be eligible for state funds

For vocational education facilities in Dallas County

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.305, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$400,000

SECTION 17.015. — To Harris-Stowe State University

For planning, design, renovation, and construction of laboratory space on the Harris-Stowe State University Campus

Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.090, an Act of the 99th General Assembly, Second Regular Session, and most recently authorized under the provisions

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of House Bill 17, Section 17.020, an Act of the 101st General Assembly,
First Regular Session
From General Revenue Fund (0101) \$195,072

SECTION 17.020. — To Harris-Stowe State University

For design and construction of a STEM laboratory

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.095, an Act of the 100th General Assembly, First
Regular Session, and most recently authorized under the provisions of
House Bill 17, Section 17.025, an Act of the 101st General Assembly, First
Regular Session

From General Revenue Fund (0101) \$305,000

SECTION 17.025. — To Harris-Stowe State University

For various deferred maintenance projects

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.185, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$1,682,000

SECTION 17.030. — To Truman State University

For improvements to the Greenwood Autism Center

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.145, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$4,400,000

SECTION 17.035. — To the University of Missouri

For the design and construction of a new veterinary laboratory, provided that

local matching funds must be provided on a 50/50 state/local match rate in
order to be eligible for state funds pursuant to Section 173.480, RSMo

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.170, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$14,600,000

SECTION 17.040. — To the University of Missouri

For Fisher Delta Research Center

For planning, design, and construction of greenhouses

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.310, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$900,000

SECTION 17.045. — To Missouri State University

For the planning, design, and construction of the expansion to the Darr
Agricultural Center

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Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.210, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$3,800,000

SECTION 17.050. — To the University of Central Missouri
For improvements to the W.C. Morris Building
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.180, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$4,684,747

SECTION 17.055. — To the University of Central Missouri
For the planning, design, and construction of an aviation education center at the
Max B. Swisher Skyhaven university owned airport
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.325, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$1,000,000

SECTION 17.060. — To Southeast Missouri State University
For steam tunnel repair and improvements
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.200, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$5,000,000

SECTION 17.065. — To Northwest Missouri State University
For repairs and improvements to the Central Plant
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.205, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$5,000,000

SECTION 17.070. — To Missouri Southern State University
For structural repairs at the Taylor Performing Arts Center
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.150, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$1,300,000

SECTION 17.075. — To Missouri Western State University
For various exterior and infrastructure repairs on campus
Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.320, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522).....\$737,000

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SECTION 17.080. — To Lincoln University

For expansion and renovation of the nursing education facility

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.190, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522)\$3,998,179

SECTION 17.085. — To the State Technical College of Missouri

For construction of the Utility Technical Center phase II

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.195, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522)\$4,500,000

SECTION 17.090. — To the Department of Higher Education and Workforce
Development

For equal distribution to community colleges for deferred maintenance

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.215, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522)\$10,753,000

SECTION 17.095. — To the Department of Higher Education and Workforce
DevelopmentFor a community college located in a city with more than eight thousand but
fewer than nine thousand inhabitants and located in a county with more than
sixty thousand but fewer than seventy thousand inhabitants for construction
of a technical education and workforce development buildingRepresenting expenditures originally authorized under the provisions of
House Bill 19, Section 19.220, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522)\$1,000,000

SECTION 17.100. — To North Central Missouri CollegeFor the planning, design, and construction of facilities to create a satellite campus
in a city with more than four thousand nine hundred but fewer than five
thousand six hundred inhabitants and located in a county with more than
seventeen thousand six hundred but fewer than nineteen thousand
inhabitants and with a county seat with more than five thousand fifty but
fewer than seven thousand inhabitantsRepresenting expenditures originally authorized under the provisions of
House Bill 19, Section 19.315, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522)\$4,000,000

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SECTION 17.105. — To the University of Missouri

For the planning, design, and construction of an advanced manufacturing building on the Rolla campus

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.335, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522)\$5,000,000

SECTION 17.110. — To the Department of Higher Education and Workforce Development

For the construction of a building for technical education programs located in a city with more than four thousand four hundred but fewer than four thousand nine hundred inhabitants and located in a county with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, provided that local matching funds must be provided on a 50/50 state/local match rate in order to be eligible for state funds

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.160, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522)\$1,500,000

SECTION 17.115. — To the Department of Higher Education and Workforce Development

For the construction of a building for technical education programs located in a city with more than eight thousand but fewer than nine thousand inhabitants and located in a county with more than seventeen thousand six hundred but fewer than nineteen thousand inhabitants

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.165, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522)\$5,000,000

SECTION 17.120. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For maintenance, repairs, replacements, unprogrammed requirements, emergency requirements, operational maintenance and repair, and improvements at the Capitol Complex

Representing expenditures originally authorized under the provisions of House Bill 2018, Section 18.020, an Act of the 99th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.045, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$14,463,447

SECTION 17.125. — To the Office of Administration

For repairs and renovations to the south lawn fountain located on the Capitol Complex

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Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.250, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$1,200,000
SECTION 17.130. — To the Office of Administration	
For construction and renovations to the Joint Committee Hearing Room located on the first floor of the Capitol Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.255, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$1,000,000
SECTION 17.135. — To the Office of Administration	
For the replacement of the Senate Chamber carpet Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.260, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$376,000
SECTION 17.140. — To the Office of Administration	
For the replacement of the House Chamber carpet Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.265, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$576,000
SECTION 17.145. — To the Office of Administration	
For the repair and refurbishment of the Capitol building plumbing Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.270, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$4,200,000
SECTION 17.150. — To the Office of Administration	
For the repair and renovation of the bronze doors located in the Capitol building Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.275, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$400,000
SECTION 17.155. — To the Office of Administration	
For the repair and renovation of plaster paint areas located in the House of Representatives Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.280, an Act of the 101st General Assembly, First Regular Session From Budget Stabilization Fund (0522)	\$100,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 17.160. — To the Office of Administration

For the repair and renovation of plaster paint areas located in the Senate

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.285, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$100,000

SECTION 17.165. — To the Office of Administration

For the repair and renovations to the House Gallery

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.290, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$387,000

SECTION 17.170. — To the Office of Administration

For repairs and renovations of the Legislative Library

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.295, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$837,000

SECTION 17.175. — To the Office of Administration

For the Department of Social Services

For a federally qualified health center in a county with more than two hundred
sixty thousand but fewer than three hundred thousand inhabitants, that treats
more than 50,000 patients per year, for design and construction of a medical
facility that provides health care services and increases patient access, and
matching funds must be provided with a 50/50 state/local match rate in order
to be eligible for state fundsRepresenting expenditures originally authorized under the provisions of
House Bill 19, Section 19.230, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$6,500,000

SECTION 17.180. — To the Office of AdministrationFor a non-profit agency designated as the primary economic development arm
of a city with more than four hundred thousand inhabitants and located in
more than one county, for the renovation, maintenance, and repair of historic
structures owned and located within said cityRepresenting expenditures originally authorized under the provisions of
House Bill 19, Section 19.345, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522) \$1,500,000

SECTION 17.185. — To the Office of AdministrationFor repair and renovations of a workforce development site in a city not within
a county that is operated by a century old organization that annually serves

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Matter in bold-face type is proposed language.

over 100,000 clients regionally and that advocated and empowers African Americans throughout the region to secure economic self-reliance, social equality and civil rights through economic opportunity, educational excellence, community empowerment, and civil rights and advocacy
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.350, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$3,500,000

SECTION 17.190. — To the Office of Administration

For a feasibility study of conversion of the current Buck O'Neil vehicle bridge to a pedestrian and bikeway path, conducted jointly by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.355, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$300,000

SECTION 17.200. — To the Office of Administration

For planning, design, and construction, for a 501(c)(3) non-profit organization dedicated to preserving and cultivating Southwest Missouri's rich agricultural heritage by supporting youth in agriculture of a county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, for a new building
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.405, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$5,000,000

SECTION 17.210. — To the Office of Administration

For the Department of Agriculture

For construction of a new campground at the State Fairgrounds

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.010, an Act of the 100th General Assembly, First Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.050, an Act of the 101st General Assembly, First Regular Session

From General Revenue Fund (0101) \$126,566

SECTION 17.215. — To the Office of Administration

For the Department of Agriculture

For the construction of a new comfort station, and other improvements as necessary around the comfort station, located at the Director's Pavilion at the Missouri State Fair	
From General Revenue Fund (0101)	\$258,000
For construction and improvements to the Director's Building and surrounding grounds at the Missouri State Fair	
From General Revenue Fund (0101)	<u>72,549</u>
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.225, an Act of the 101st General Assembly, First Regular Session	
Total.....	\$330,549

SECTION 17.220. — To the Department of Agriculture

For the planning, design, construction, and installation of direct current fast charging (DCFC) equipment with a minimum of 100 kilowatts, for meter for fee electric vehicle charging stations at the State Fair	
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.365, an Act of the 101st General Assembly, First Regular Session	
From Budget Stabilization Fund (0522)	\$200,000

SECTION 17.225. — To the Department of Agriculture

For the Agriculture Business Development Division	
For the Agriculture and Small Business Development Authority, for biofuel infrastructure projects	
Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.410, an Act of the 101st General Assembly, First Regular Session	
From Budget Stabilization Fund (0522)	\$2,000,000

SECTION 17.230. — To the Department of Natural Resources

For the Division of State Parks	
For state park and historic site capital improvement expenditures, including design, construction, renovation, maintenance, repairs, replacements, improvements, adjacent land purchases, installation and replacement of interpretive exhibits, water and wastewater improvements, maintenance and repair to existing roadways, parking areas, and trails, acquisition, restoration, and marketing of endangered historic properties, and expenditure of recoupments, donations, and grants	
Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.015, an Act of the 99th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.080, an Act of the 101st General Assembly, First Regular Session	
From State Park Earnings Fund (0415)	\$159,292

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SECTION 17.235. — To the Department of Natural Resources

For the Division of State Parks

For an engineering and hydrology study at Big Oak Tree State Park

Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.050, an Act of the 99th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.085, an Act of the 101st General Assembly, First Regular Session

From State Park Earnings Fund (0415) \$67,610

SECTION 17.240. — To the Department of Natural Resources

For the Division of State Parks

For state park and historic site capital improvement expenditures, including design, construction, renovation, maintenance, repairs, replacements, improvements, adjacent land purchases, installation and replacement of interpretive exhibits, water and wastewater improvements, maintenance and repair to existing roadways, parking areas, and trails, acquisition, restoration, and marketing of endangered historic properties, and expenditure of recoupments, donations, and grants

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.020, an Act of the 100th General Assembly, First Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.090, an Act of the 101st General Assembly, First Regular Session

From State Park Earnings Fund (0415) \$500,000

SECTION 17.245. — To the Department of Natural Resources

For the Division of State Parks

For state park and historic site capital improvement expenditures, including design, construction, renovation, maintenance, repairs, replacements, improvements, adjacent land purchases, installation and replacement of interpretive exhibits, water and wastewater improvements, maintenance and repair to existing roadways, parking areas, and trails, acquisition, restoration, and marketing of endangered historic properties, and expenditure of recoupments, donations, and grants

Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.015, an Act of the 100th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.095, an Act of the 101st General Assembly, First Regular Session

From Department of Natural Resources Federal Fund (0140) \$500,000

From State Park Earnings Fund (0415) 500,000

Total..... \$1,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 17.250. — To the Department of Natural Resources

For the Division of State Parks

For state park and historic site capital improvement expenditures, including design, construction, renovation, maintenance, repairs, replacements, improvements, adjacent land purchases, installation and replacement of interpretive exhibits, water and wastewater improvements, maintenance and repair to existing roadways, parking areas, and trails, acquisition, restoration, and marketing of endangered historic properties, and expenditure of recoupments, donations, and grants

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.005, an Act of the 101st General Assembly, First Regular Session

From Department of Natural Resources Federal Fund (0140)	\$2,425,000
From State Park Earnings Fund (0415)	<u>2,840,000</u>
Total.....	\$5,265,000

SECTION 17.255. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Big Lake State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.010, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)	\$3,010,343
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SECTION 17.260. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Cuivre River State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.015, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)	\$1,747,162
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SECTION 17.265. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Current River State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.020, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)	\$9,900,029
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SECTION 17.270. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Dr. Edmund A. Babler State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.025, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$4,487,030

SECTION 17.275. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Echo Bluff State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.030, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$3,011,901

SECTION 17.280. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Finger Lakes State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.035, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$1,424,654

SECTION 17.285. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Harry S Truman State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.040, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$871,698

SECTION 17.290. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Johnson's Shut-Ins State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.045, an Act of the 101st General Assembly, First
Regular Session
From Board of Public Buildings Bond Proceeds Fund (Various)\$3,576,263

SECTION 17.295. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Lake
of the Ozarks State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.050, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$2,784,026

SECTION 17.300. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at
Lewis and Clark State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.055, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$1,319,192

SECTION 17.305. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Long
Branch State Park, provided ten percent (10%) flexibility is allowed between
sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.060, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$2,283,103

SECTION 17.310. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at
Montauk State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.065, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$2,130,985

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SECTION 17.315. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Onondaga Cave State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.070, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$2,075,439

SECTION 17.320. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Roaring River State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.075, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$1,623,689

SECTION 17.325. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at St. Francois State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.080, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$4,172,848

SECTION 17.330. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Stockton State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.085, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$670,106

SECTION 17.335. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Table Rock State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.090, an Act of the 101st General Assembly, First
Regular Session
From Board of Public Buildings Bond Proceeds Fund (Various)\$6,605,968

SECTION 17.340. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at
Thousand Hills State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.095, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$871,698

SECTION 17.345. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Trail
of Tears State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.100, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$840,195

SECTION 17.350. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at
Wakonda State Park, provided ten percent (10%) flexibility is allowed
between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.105, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$1,733,917

SECTION 17.355. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at
Watkins Woolen Mill State Park, provided ten percent (10%) flexibility is
allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.110, an Act of the 101st General Assembly, First
Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various)\$4,175,195

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SECTION 17.360. — To the Department of Natural Resources

For the Division of State Parks

For planning, design, construction, renovation, and upgrades of facilities at Weston Bend State Park, provided ten percent (10%) flexibility is allowed between sections 17.255 through 17.360

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.115, an Act of the 101st General Assembly, First Regular Session

From Board of Public Buildings Bond Proceeds Fund (Various) \$958,110

SECTION 17.365. — To the Department of Natural Resources

For the Division of State Parks

For the planning, design, construction, and installation of direct current fast charging (DCFC) equipment with a minimum of 100 kilowatts, for meter for fee electric vehicle charging stations

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.370, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$1,000,000

SECTION 17.370. — To the Department of Natural Resources

For the Missouri Geological Survey

For lower Missouri River recovery and flood resiliency to include river system and environmental studies and plans, and identifying construction improvements; feasibility and construction studies, property acquisition and construction; flood forecasting and monitoring products

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.385, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$5,000,000

SECTION 17.375. — To the Department of Natural Resources

For the Division of State Parks

For the planning, design, and construction of a pedestrian trail originating at Knob Noster State Park

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.375, an Act of the 101st General Assembly, First Regular Session

From Budget Stabilization Fund (0522) \$4,000,000

SECTION 17.380. — To the Department of Natural Resources

For the Division of State Parks

For the planning, design, and construction of ADA accessible restrooms associated with Arrow Rock State Park

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.415, an Act of the 101st General Assembly, First
Regular Session
From Budget Stabilization Fund (0522) \$82,000

SECTION 17.385. — To the Department of Conservation

For stream access acquisition and development; lake site acquisition and
development; financial assistance to other public agencies or in partnership
with other public agencies; land acquisition for upland wildlife, state forests,
wetlands, and natural areas and additions to existing areas; for major
improvements and repairs (including materials, supplies, and labor) to
buildings, roads, hatcheries, and other departmental structures; and for soil
conservation activities, erosion control, and land improvement on
department land

Representing expenditures originally authorized under the provisions of
House Bill 2019, Section 19.020, an Act of the 99th General Assembly,
Second Regular Session, and most recently authorized under the provisions
of House Bill 17, Section 17.100, an Act of the 101st General Assembly,
First Regular Session

From Conservation Commission Fund (0609) \$464,371

SECTION 17.390. — To the Department of Conservation

For stream access acquisition and development; lake site acquisition and
development; financial assistance to other public agencies or in partnership
with other public agencies; land acquisition for upland wildlife, state forests,
wetlands, and natural areas and additions to existing areas; for major
improvements and repairs (including materials, supplies, and labor) to
buildings, roads, hatcheries, and other departmental structures; and for soil
conservation activities, erosion control, and land improvement on
department land

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.025, an Act of the 100th General Assembly, First
Regular Session, and most recently authorized under the provisions of
House Bill 17, Section 17.105, an Act of the 101st General Assembly, First
Regular Session

From Conservation Commission Fund (0609) \$12,555,049

SECTION 17.395. — To the Department of Conservation

For stream access acquisition and development; lake site acquisition and
development; financial assistance to other public agencies or in partnership
with other public agencies; land acquisition for upland wildlife, state forests,
wetlands, and natural areas and additions to existing areas; for major
improvements and repairs (including materials, supplies, and labor) to
buildings, roads, hatcheries, and other departmental structures; and for soil
conservation activities, erosion control, and land improvement on
department land

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Matter in bold-face type is proposed language.

Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.020, an Act of the 100th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.110, an Act of the 101st General Assembly, First Regular Session

From Conservation Commission Fund (0609)\$19,456,697

SECTION 17.400. — To the Department of Conservation

For major improvements and repairs (including materials, supplies, and labor) to buildings, roads, hatcheries, signage, and other departmental structures; and for soil conservation activities, erosion control, and land improvement on department land

From Conservation Commission Fund (0609)\$11,600,924

For stream access acquisition and development; lake site acquisition and development; financial assistance to other public agencies or in partnership with other public agencies; land acquisition for upland wildlife, state forests, wetlands, and natural areas and additions to existing areas

From Conservation Commission Fund (0609) 6,989,679

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.120, an Act of the 101st General Assembly, First Regular Session

Total.....\$18,590,603

SECTION 17.405. — To the Office of Administration

For the Missouri State Highway Patrol

For planning, design and construction at the General Headquarters

Representing expenditures originally authorized under the provisions of House Bill 2019, Section 19.025, an Act of the 99th General Assembly, Second Regular Session, and most recently authorized under the provisions of House Bill 17, Section 17.115, an Act of the 101st General Assembly, First Regular Session

From General Revenue Fund (0101)\$344,418

From Gaming Commission Fund (0286) 339,603

From State Highways and Transportation Department Fund (0644) 381,447

From DNA Profiling Analysis Fund (0772) 91,301

Total.....\$1,156,769

SECTION 17.410. — To the Office of Administration

For the Department of Public Safety

For planning, design, and construction of a new Troop A Headquarters and related facilities

Representing expenditures originally authorized under the provisions of House Bill 19, Section 19.125, an Act of the 101st General Assembly, First Regular Session

From State Highways and Transportation Department Fund (0644)\$3,250,376

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Matter in bold-face type is proposed language.

From State Institutions Gift Trust Fund (0925).....	8,113,000
Total.....	\$11,363,376

SECTION 17.415. — To the Office of Administration

For the Missouri State Highway Patrol

For security and safety improvements at regional highway patrol headquarters

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.235, an Act of the 101st General Assembly, First
Regular Session

From Budget Stabilization Fund (0522).....	\$800,000
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SECTION 17.420. — To the Office of Administration

For the Adjutant General - Missouri National Guard

For design and construction of National Guard facilities statewide, an addition
to the aircraft maintenance facility at AVCRAD Base in Springfield, and the
renovation of a Department of Transportation building for Missouri National
Guard troop additions

Representing expenditures originally authorized under the provisions of
House Bill 2019, Section 19.030, an Act of the 99th General Assembly,
Second Regular Session, and most recently authorized under the provisions
of House Bill 17, Section 17.135, an Act of the 101st General Assembly,
First Regular Session

From Adjutant General Federal Fund (0190).....	\$85,850
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SECTION 17.425. — To the Office of Administration

For the Adjutant General - Missouri National Guard

For design and construction of National Guard facilities statewide

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.030, an Act of the 100th General Assembly, First
Regular Session, and most recently authorized under the provisions of
House Bill 17, Section 17.140, an Act of the 101st General Assembly, First
Regular Session

From Adjutant General Federal Fund (0190).....	\$5,117,428
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SECTION 17.430. — To the Office of Administration

For the Adjutant General - Missouri National Guard

For design and construction of an addition to the aircraft maintenance facility at
AVCRAD Base in Springfield and design and construction of a readiness
center and maintenance hangar at AVCRAD Base in Springfield

Representing expenditures originally authorized under the provisions of
House Bill 19, Section 19.035, an Act of the 100th General Assembly, First
Regular Session, and most recently authorized under the provisions of
House Bill 17, Section 17.145, an Act of the 101st General Assembly, First
Regular Session

From Adjutant General Federal Fund (0190).....	\$109,827,823
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 17.435. — To the Office of Administration
 For the Adjutant General - Missouri National Guard
 For design and construction of National Guard facilities statewide
 Representing expenditures originally authorized under the provisions of
 House Bill 2019, Section 19.025, an Act of the 100th General Assembly,
 Second Regular Session, and most recently authorized under the provisions
 of House Bill 17, Section 17.150, an Act of the 101st General Assembly,
 First Regular Session
 From Adjutant General Federal Fund (0190).....\$17,845,492

SECTION 17.440. — To the Office of Administration
 For the Adjutant General - Missouri National Guard
 For design and construction of National Guard facilities statewide
 Representing expenditures originally authorized under the provisions of
 House Bill 19, Section 19.130, an Act of the 101st General Assembly, First
 Regular Session
 From Adjutant General Federal Fund (0190).....\$29,677,592

SECTION 17.445. — To the Office of Administration
 For the Adjutant General - Missouri National Guard
 For design and construction of an elevator at the Ike Skelton Training Center
 Representing expenditures originally authorized under the provisions of
 House Bill 19, Section 19.135, an Act of the 101st General Assembly, First
 Regular Session
 From Budget Stabilization Fund (0522)\$532,920

SECTION 17.450. — To the Adjutant General
 For capital improvements and maintenance and repair to a joint civilian and
 military owned and operated airport located in a city with more than
 seventy-one thousand but fewer than seventy-nine thousand inhabitants
 Representing expenditures originally authorized under the provisions of
 House Bill 19, Section 19.395, an Act of the 101st General Assembly, First
 Regular Session
 From Budget Stabilization Fund (0522)\$2,500,000

SECTION 17.455. — To the Office of Administration
 For the Department of Public Safety
 For design and construction of a storage building at the St. Louis Veterans' Home
 Representing expenditures originally authorized under the provisions of
 House Bill 19, Section 19.035, an Act of the 97th General Assembly, First
 Regular Session, and most recently authorized under the provisions of
 House Bill 17, Section 17.120, an Act of the 101st General Assembly, First
 Regular Session
 From Veterans' Commission Capital Improvement Trust Fund (0304)\$843,154

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 Matter in bold-face type is proposed language.

SECTION 17.460. — To the Office of Administration

For the Department of Public Safety

For construction of a new columbarium wall and adjacent roadway at
Bloomfield Veterans CemeteryRepresenting expenditures originally authorized under the provisions of
House Bill 19, Section 19.040, an Act of the 100th General Assembly, First
Regular Session, and most recently authorized under the provisions of
House Bill 17, Section 17.125, an Act of the 101st General Assembly, First
Regular Session

From Veterans' Commission Capital Improvement Trust Fund (0304)\$2,148,242

SECTION 17.465. — To the Office of Administration

For the Department of Public Safety

For construction of a new columbarium wall and adjacent roadway at
Jacksonville Veterans CemeteryRepresenting expenditures originally authorized under the provisions of
House Bill 2019, Section 19.030, an Act of the 100th General Assembly,
Second Regular Session, and most recently authorized under the provisions
of House Bill 17, Section 17.130, an Act of the 101st General Assembly,
First Regular Session

From Veterans' Commission Capital Improvement Trust Fund (0304)\$1,361,977

From Veterans Assistance Fund (0461) 845,734

Total.....\$2,207,711

SECTION 17.470. — To the Office of Administration

For the completion of design and construction to replace Fulton State Hospital

Representing expenditures originally authorized under the provisions of
House Bill 2005, Section 5.197, an Act of the 97th General Assembly,
Second Regular Session, and most recently authorized under the provisions
of House Bill 17, Section 17.160, an Act of the 101st General Assembly,
First Regular Session

From Fulton State Hospital Bond Proceeds Fund (Various)\$1,952,025

SECTION 17.475. — To the Office of Administration

For the Department of Mental Health

For the planning, design, and renovation of the Biggs facility at the Fulton State
HospitalRepresenting expenditures originally authorized under the provisions of
House Bill 2019, Section 19.035, an Act of the 100th General Assembly,
Second Regular Session, and most recently authorized under the provisions
of House Bill 17, Section 17.170, an Act of the 101st General Assembly,
First Regular Session

From Fulton State Hospital Bond Proceeds Fund (Various)\$1,597,572

SECTION 17.480. — To the Office of Administration

For the Department of Mental Health

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the planning, design, and construction at the Southeast Missouri Mental
 Health Center warehouse
 Representing expenditures originally authorized under the provisions of
 House Bill 19, Section 19.140, an Act of the 101st General Assembly, First
 Regular Session
 From Budget Stabilization Fund (0522) \$370,249

Bill Totals

General Revenue Fund.....\$1,301,605
 Federal Funds.....287,195,280
 Other Funds.....150,948,542
 Total.....\$439,445,427

Approved June 30, 2022

SCS HCS HB 3018

**Appropriates money for the several departments and offices of state government
 and the several divisions and programs thereof: for the purchase of
 equipment; planning, expenses, and capital improvement projects**

AN ACT to appropriate money for the several departments and offices of state government and the several divisions and programs thereof: for the purchase of equipment; planning, expenses, and capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; grants, refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023, as follows:

SECTION 18.005. — To the Office of Administration

For the Department of Elementary and Secondary Education

For maintenance, repairs, replacements, unprogrammed requirements,
 emergency requirements, operational maintenance and repair, and
 improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$11,346,994

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

For maintenance, repairs, replacements, unprogrammed requirements,
 emergency requirements, operational maintenance and repair, and
 improvements at various State Board of Education operated school
 programs
 From Budget Stabilization Fund (0522) 4,874,854
 Total.....\$16,221,848

SECTION 18.006. — To the Office of Administration

For maintenance, repairs, replacements, unprogrammed requirements,
 emergency requirements, operational maintenance and repair, and
 improvements at the Missouri School for the Blind
 From School for the Blind Trust Fund (0920)\$2,719,510

SECTION 18.010. — To the Office of Administration

For the State Lottery Commission
 For repairs, replacements, and improvements at the Missouri Lottery
 Commission Headquarters
 From Lottery Enterprise Fund (0657).....\$733,528

SECTION 18.015. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Facilities
 Maintenance Reserve Fund
 From General Revenue Fund (0101)\$199,672,180

SECTION 18.020. — To the Office of Administration

For the Division of Facilities Management, Design and Construction
 For emergency requirements, unprogrammed requirements, appraisals and
 surveys, assessment, abatement, removal remediation, and management of
 hazardous materials and pollutants, energy conservation, building
 utilization, and project administration requirements for facilities statewide
 From Facilities Maintenance Reserve Fund (0124).....\$66,812,435

SECTION 18.025. — To the Office of Administration

For the Division of Facilities Management, Design and Construction
 For maintenance, repairs, replacements, unprogrammed requirements,
 emergency requirements, operational maintenance and repair, and
 improvements at facilities statewide
 From Facilities Maintenance Reserve Fund (0124).....\$93,063,721

SECTION 18.030. — To the Office of Administration

For the Division of Facilities Management, Design and Construction
 For receipt and expenditure of insurance or other reimbursements for damage
 from natural or man-made events
 From Facilities Maintenance Reserve Fund (0124).....\$25,000,000

SECTION 18.035. — To the Office of Administration

For the Department of Agriculture

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$7,007,866

SECTION 18.040. — To the Office of Administration

For the Department of Natural Resources

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$3,052,289

SECTION 18.045. — To the Department of Natural Resources

For the Division of State Parks

For state park and historic site capital improvement expenditures, including
design, construction, renovation, maintenance, repairs, replacements,
improvements, installation and replacement of interpretive exhibits, water
and wastewater improvements, maintenance and repair to existing
roadways, parking areas, and trails, acquisition, restoration, and marketing
of endangered historic properties, and expenditure of recoupments,
donations, and grants

From Department of Natural Resources Federal Fund (0140)\$8,194,985

From Facilities Maintenance Reserve Fund (0124).....10,000,000

From State Park Earnings Fund (0415)28,819,682

From Historic Preservation Revolving Fund (0430)1,200,000

From State Park Sales Tax Fund (0613).....9,435,880

Total.....\$57,650,547

SECTION 18.050. — To the Department of ConservationFor stream access development; lake site development; financial assistance to
other public agencies or in partnership with other public agencies; major
improvements and repairs (including materials, supplies, and labor) to
buildings, roads, hatcheries, and other departmental structures; and for soil
conservation activities, erosion control, and land improvement on
department land

From Conservation Commission Fund (0609)\$67,907,853

SECTION 18.055. — To the Office of Administration

For the Department of Labor and Industrial Relations

For repairs, replacements, and improvements at facilities statewide

From Workers' Compensation Fund (0652)\$400,000

From Special Employment Security Fund (0949)800,000

Total.....\$1,200,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 18.060. — To the Office of Administration

For the Department of Public Safety

For repairs, replacements, and improvements at Missouri State Highway Patrol
facilities statewide

From State Highways and Transportation Department Fund (0644).....\$34,576,731

SECTION 18.065. — To the Office of Administration

For the Department of Public Safety

For repairs, replacements, and improvements at state veterans' homes

From Facilities Maintenance Reserve Fund (0124).....\$18,850,909

From Veterans' Commission Capital Improvement Trust Fund (0304) 56,108,207

Total.....\$74,959,116

SECTION 18.070. — To the Office of Administration

For the Adjutant General - Missouri National Guard

For maintenance and repair at National Guard facilities statewide

From Adjutant General Federal Fund (0190)..... \$64,127,229

From Facilities Maintenance Reserve Fund (0124)..... 22,688,304

Total.....\$86,815,533

SECTION 18.075. — To the Office of Administration

For the Department of Corrections

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$61,604,313

SECTION 18.080. — To the Department of CorrectionsFor maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$8,615,510

SECTION 18.085. — To the Office of Administration

For the Department of Mental Health

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$49,110,796

SECTION 18.090. — To the Office of Administration

For the Department of Social Services

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, operational maintenance and repair, and
improvements at facilities statewide

From Facilities Maintenance Reserve Fund (0124).....\$9,465,687

From Department of Social Services Federal Fund (0610)..... 400,000

Total.....\$9,865,687

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Bill Totals

General Revenue Fund.....	\$199,672,180
Federal Funds.....	77,597,068
Other Funds.....	<u>202,701,391</u>
Total.....	\$479,970,639

Approved June 30, 2022

SCS HCS HB 3019

**Appropriates money for the expenses, grants, refunds, and distributions of the
Department of Agriculture, Department of Natural Resources, Department
of Conservation**

AN ACT to appropriate money for the several departments and offices of state government and the several divisions and programs thereof for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022 and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023, as follows:

SECTION 19.005. — To the Office of Administration

For the Department of Elementary and Secondary Education

For planning, design, construction, renovation, and upgrades of facilities at the
Special Acres School for the Severely Disabled

From General Revenue Fund (0101)\$1,616,535

SECTION 19.007. — To the Office of Administration

For the Department of Elementary and Secondary Education

For planning, design, construction, renovation, and upgrades of facilities at the
Autumn Hill State School

From Budget Stabilization Fund (0522)\$2,094,880

SECTION 19.009. — To the Department of Higher Education and Workforce
Development

For the design of a medical school located in a city with more than seventy-one
thousand but fewer than seventy-nine thousand inhabitants, provided that

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

any funds disbursed from this appropriation shall be matched on a 50/50 basis by the recipient
 From Budget Stabilization Fund (0522)\$1,500,000

SECTION 19.010. — To the Office of Administration
 For the Division of Facilities Management, Design and Construction
 For the construction of a Workers' Memorial
 From Workers' Memorial Fund (0895)\$150,000

SECTION 19.015. — To the Office of Administration
 For the Department of Agriculture
 For the State Fair
 For planning, design, construction, renovation, land acquisition, and upgrades of facilities at the State Fair
 From General Revenue Fund (0101)\$9,962,000

SECTION 19.020. — To the Department of Natural Resources
 For the Division of State Parks
 For state park and historic site capital improvement expenditures, including design, construction, renovation, maintenance, repairs, replacements, improvements, adjacent land purchases, installation and replacement of interpretive exhibits, water and wastewater improvements, maintenance and repair to existing roadways, parking areas, and trails, acquisition, restoration, and marketing of endangered historic properties, and expenditure of recoupments, donations, and grants
 From Department of Natural Resources Federal and Other Fund (0140).....\$8,000,000
 From State Park Earnings Fund (0415)6,800,000
 From Parks Sales Tax Fund (0613).....5,000,000
 Total.....\$19,800,000

SECTION 19.025. — To the Department of Natural Resources
 For the Division of State Parks
 For planning, design, construction, renovation, and upgrades of facilities at Nathan and Olive Boone Homestead Historic Site
 From State Park Earnings Fund (0415)\$200,000

SECTION 19.030. — To the Department of Natural Resources
 For the Division of State Parks
 For planning, design, construction, renovation, and upgrades of facilities at Bennett Spring State Park
 From State Park Earnings Fund (0415)\$650,000

SECTION 19.035. — To the Department of Natural Resources
 For the Division of State Parks
 For planning, design, construction, renovation, and upgrades of facilities at Roaring River State Park
 From State Park Earnings Fund (0415)\$750,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

SECTION 19.040. — To the Department of Natural Resources	
For the Division of State Parks	
For planning, design, construction, renovation, and upgrades of facilities at Bryant Creek State Park	
From State Park Earnings Fund (0415)	\$600,000
SECTION 19.045. — To the Department of Natural Resources	
For the Division of State Parks	
For planning, design, construction, renovation, and upgrades of facilities at Big Oak Tree State Park Boardwalk	
From State Park Earnings Fund (0415)	\$425,000
SECTION 19.050. — To the Department of Natural Resources	
For the Division of State Parks	
For planning, design, construction, renovation, and upgrades of the Pelster House Barn	
From Historic Preservation Revolving Fund (0430)	\$311,000
SECTION 19.053. — To the Department of Natural Resources	
For maintenance, repair, and other improvements to state-owned historic properties and other state-owned historical assets in Missouri connected to African-American history and culture in Missouri	
From Parks Sales Tax Fund (0613).....	\$2,000,000
SECTION 19.055. — To the Department of Conservation	
For major improvements and repairs (including materials, supplies, and labor) to buildings, roads, hatcheries, signage, and other departmental structures; and for soil conservation activities, erosion control, and land improvement on department land	
From Conservation Commission Fund (0609)	\$8,100,000
For stream access acquisition and development; lake site acquisition and development; financial assistance to other public agencies or in partnership with other public agencies; land acquisition for upland wildlife, state forests, wetlands, and natural areas and additions to existing areas	
From Conservation Commission Fund (0609)	7,000,000
Total.....	\$15,100,000
SECTION 19.060. — To the Office of Administration	
For the Adjutant General - Missouri National Guard	
For design and construction of National Guard facilities statewide	
From Adjutant General Federal Fund (0190).....	\$30,000,000
SECTION 19.065. — To the Office of Administration	
For the Adjutant General - Missouri National Guard	
For design, land acquisition, and construction of the Bellefontaine Neighbors Readiness Center	

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Adjutant General Federal Fund (0190).....	\$22,400,000
From Budget Stabilization Fund (0522).....	<u>7,749,525</u>
Total.....	\$30,149,525

SECTION 19.070. — To the Office of Administration
 For the Adjutant General - Missouri National Guard
 For design, land acquisition, and construction at the Macon Training Center
 From General Revenue Fund (0101)\$2,060,250

SECTION 19.075. — To the Office of Administration
 For the Adjutant General - Missouri National Guard
 For design and construction at the Albany Readiness Center
 From General Revenue Fund (0101)\$938,969

SECTION 19.077. — To the Adjutant General
 For capital improvements and maintenance and repair to a joint civilian and
 military owned and operated airport located in a city with more than
 seventy-one thousand but fewer than seventy-nine thousand inhabitants,
 provided that any funds disbursed from this appropriation shall be matched
 From Budget Stabilization Fund (0522)\$2,500,000

SECTION 19.080. — To the Office of Administration
 For the Department of Social Services
 For the planning, design, and construction at the W.E. Sears Youth Center
 From General Revenue Fund (0101)\$1,076,174

SECTION 19.085. — To the Office of Administration
 For the Department of Social Services
 For the planning, design, and construction at the Camp Avery Park
 From General Revenue Fund (0101)\$1,806,512

SECTION 19.090. — To the General Assembly
 Funds are to be transferred out of the State Treasury to the Missouri State
 Capitol Commission Capitol Preservation Fund
 From General Revenue Fund (0101)\$300,000,000

Bill Totals
 General Revenue Fund.....\$317,460,440
 Federal Funds.....72,244,405
 Other Funds.....31,986,000
 Total.....\$423,690,845

Approved June 30, 2022

SS SCS HCS HB 3020

Appropriates money for the expenses, grants, refunds, distributions, purchase of equipment, planning expenses, and capital improvement projects

AN ACT to appropriate money for the expenses, grants, refunds, distributions, purchase of equipment, planning expenses, capital improvement projects, including but not limited to major additions and renovation of facility components, and equipment or systems for the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022, and ending June 30, 2023.

Be it enacted by the General Assembly of the state of Missouri, as follows:

There is appropriated out of the State Treasury, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the purpose of funding each department, division, agency, fund transfer, and program described herein for the item or items stated, and for no other purpose whatsoever, chargeable to the fund designated for the period beginning July 1, 2022 and ending June 30, 2023, as follows:

PART 1

SECTION 20.000. — Each appropriation in this act shall consist of the item or items in each section of Part 1 of this act, for the amount and purpose and from the fund designated in each section of Part 1, as well as all additional clarifications of purpose in Part 2 of this act that make reference by section to said item or items in Part 1. Any clarification of purpose in Part 2 shall state the section or sections in Part 1 to which it attaches and shall, together with the language of said section(s) in Part 1, form the complete statement of purpose of the appropriation. As such, the provisions of Part 2 of this act shall not be severed from Part 1, and if any clarification of purpose in Part 2 is for any reason held to be invalid, such decision shall invalidate all of the appropriations in this act of which said clarification of purpose is a part.

SECTION 20.005. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For distributions to private institutions of higher education for MoExcels

Workforce Development Initiatives recommended by the Coordinating Board for Higher Education, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient or local entity

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$10,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.010. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For the purpose of planning and implementing technology updates for Missouri's
job centers providing statewide services to citizens and employers and to
provide adaptive technology to service citizens with disabilities and allow
for improved virtual delivery of services

Expense and Equipment

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)..... \$500,000

SECTION 20.013. — To the Office of Administration

For the Department of Transportation

For grants to port authorities, provided that local match be provided in order to
be eligible for state funds

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)..... \$25,000,000

SECTION 20.014. — To the Office of Administration

For the Department of Transportation

For grants to a port authority located in any county with more than fifteen
thousand seven hundred but fewer than seventeen thousand six hundred
inhabitants and with a county seat with more than two thousand but fewer
than three thousand inhabitants, provided that local match be provided in
order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)..... \$5,000,000

SECTION 20.025. — To the Office of Administration

For the Division of Facilities Management, Design and Construction

For completing HVAC projects for various state department facilities

Expense and Equipment

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)..... \$20,000,000

SECTION 20.026. — To the Office of Administration

For the Children's Trust Fund Board

For a pay for outcomes program through the Children's Trust Fund designed to
enhance the effectiveness of evidence-based home visiting programs serving
high-risk families

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)..... \$500,000

SECTION 20.030. — To the Office of Administration

For the Information Technology Services Division

For the purpose of planning and implementing technology updates for the
Department of Commerce and Insurance's e-Licensing system

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Expense and Equipment
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$21,000,000

SECTION 20.045. — To the Office of Administration
 For the Department of Conservation
 For a new Shepherd of the Hills Hatchery visitor center
 Expense and Equipment
 From Conservation Commission Fund (0609)\$5,000,000

SECTION 20.055. — To the Office of Administration
 For the Department of Economic Development
 For broadband cellular towers, with priority to underserved and unserved
 locations
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$20,000,000

SECTION 20.065. — To the Office of Administration
 For the Department of Economic Development
 For community development and revitalization, provided that local match be
 provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$100,000,000

SECTION 20.070. — To the Office of Administration
 For the Department of Economic Development
 For grants to political subdivisions, including but not limited to levee districts,
 for an Industrial Site Development Program, provided that local match be
 provided in order to be eligible for state funds
 For projects one thousand (1,000) or more contiguous acres in size
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$50,000,000

For projects under one thousand (1,000) contiguous acres in size
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463)..... 25,000,000
 Total.....\$75,000,000

SECTION 20.075. — To the Office of Administration
 For the Department of Economic Development
 For a Small Business Grant Program
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$10,000,000

SECTION 20.085. — To the Office of Administration
 For the Department of Economic Development

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

For a non-profit grant program
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$7,500,000

SECTION 20.090. — To the Office of Administration
 For the Department of Economic Development
 For workforce development
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$30,000,000

SECTION 20.095. — To the Office of Administration
 For the Department of Economic Development
 For state tourism marketing
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$5,000,000

For a state tourism and transatlantic flight loan guarantee incentive program
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... 5,000,000
 Total.....\$10,000,000

SECTION 20.100. — To the Office of Administration
 For the Department of Economic Development
 For local tourism development, provided that any grant awards disbursed from
 this appropriation shall be matched on a 50/50 basis provided that such funds
 shall be matched by the recipient or local entity
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$30,000,000

SECTION 20.105. — To the Office of Administration
 For the Department of Economic Development
 For grants to entertainment venues
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$5,000,000

SECTION 20.115. — To the Office of Administration
 For the Department of Public Safety
 For compiling, standardizing, and maintaining Geographic Information System
 (GIS) data in support of the statewide implementation of Next Generation
 911 (NG911) and enhancements
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$18,000,000

SECTION 20.120. — To the Office of Administration
 For the Department of Public Safety
 For a sub-system addition to the Missouri Statewide Interoperability Network
 (MOSWIN), increasing user capacity and portable radio communication

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

coverage throughout Jefferson City, and extending into Cole and Callaway Counties	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	\$4,000,000
SECTION 20.125. — To the Office of Administration	
For the State Emergency Management Agency	
For expenses of any state agency responding to COVID-19	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	\$69,365,337
SECTION 20.135. — To the Office of Administration	
For the Department of Public Safety	
For the planning, design, construction, and equipping of a crime laboratory as part of a multi-agency laboratory campus including building space, laboratory space, fixtures, equipment, systems furniture, and parking infrastructure	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	\$104,662,200
SECTION 20.145. — To the Office of Administration	
For the Department of Public Safety	
For crime labs sexual assault kit testing	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	\$1,125,000
SECTION 20.150. — To the Office of Administration	
For the Department of Public Safety	
For grants to emergency medical services providers, provided that the maximum award shall be \$20,000 per recipient, and further provided that local match be provided in order to be eligible for state funds	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	\$10,000,000
For grants to public safety officers provided that the maximum award shall be \$20,000 per recipient, and further provided that local match be provided in order to be eligible for state funds	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	10,000,000
For grants to fire protection entities, provided that the maximum award shall be \$20,000 per recipient, and further provided that local match be provided in order to be eligible for state funds	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463).....	<u>10,000,000</u>
Total.....	\$30,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.151. — To the Office of Administration

For the Department of Social Services

For grants to local county law enforcement and local county prosecutors in
counties with a high percentage of alleged sexual crimes against children

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$1,000,000

SECTION 20.165. — To the Office of Administration

For the Department of Mental Health

For design, renovation, construction, and improvements to become compliant
with Americans with Disabilities Act standards in cottages and group homes

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$6,987,195

SECTION 20.170. — To the Office of Administration

For the Department of Mental Health

For design, renovation, construction, and improvements of the Fulton State
Hospital Biggs Building

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$15,999,999

SECTION 20.175. — To the Office of Administration

For the Department of Mental Health

For program operations and support

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$600,000

SECTION 20.180. — To the Office of Administration

For the Department of Mental Health

For adult community programs

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$1,081,500

SECTION 20.185. — To the Office of Administration

For the Department of Mental Health

For grants to federally qualified health centers, certified community behavioral
health organizations, and community mental health centers, provided that
any grant awards disbursed from this appropriation shall be matched on a
50/50 basis by the recipient for projects under five million (\$5,000,000) and
a 40/60 local/state match for projects over five million (\$5,000,000)

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463)\$148,713,118

SECTION 20.187. — To the Office of Administration

For the Department of Mental Health

For grants to a federally qualified health center founded in 1972, improving the
health and quality of life for all residents in any city not within a county, for

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

repair and renovation, provided that local match be provided in order to be eligible for state funds	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$500,000
SECTION 20.188. — To the Office of Administration	
For the Department of Health and Senior Services	
For capital improvement projects at a hospital located in a city with more than nine thousand but fewer than ten thousand inhabitants and that is the county seat of a county with more than nineteen thousand but fewer than twenty-two thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$1,000,000
SECTION 20.195. — To the Office of Administration	
For the Department of Health and Senior Services	
For reimbursements to Residential Care Facilities and Assisted Living Facilities for expenses due to the impact of COVID-19	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$10,000,000
SECTION 20.196. — To the Office of Administration	
For the Department of Health and Senior Services	
For aid to local public health agencies	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$2,300,000
SECTION 20.205. — To the Office of Administration	
For the Department of Social Services	
For providers of Medicaid services in rural counties for the purchase of necessary equipment and trainings for the purpose of increasing access to telehealth services for MO HealthNet participants	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$8,500,000
SECTION 20.210. — To the Office of Administration	
For the Department of Social Services	
For design, bidding, and construction of a new youth treatment facility to provide day treatment services for youth	
From Coronavirus State Fiscal Recovery - Health and Economic Impacts	
Fund (2463)	\$5,953,333
SECTION 20.211. — To the Office of Administration	
For the Department of Health and Senior Services	

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For the purpose of asbestos abatement and cleanup at a hospital that provides a ministry of healing, wellness, quality, and love located in any county with more than twelve thousand five hundred but fewer than fourteen thousand inhabitants and with a county seat with more than five thousand but fewer than six thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery – Health and Economic Impacts

Fund (2463)..... \$500,000

SECTION 20.212. — To the Office of Administration

For the Department of Health and Senior Services

For the planning, design, maintenance, or construction of an emergency medical services helipad for a hospital in any county with more than forty thousand but fewer than fifty thousand inhabitants and with a county seat with more than eighteen thousand but fewer than twenty-one thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery – Health and Economic Impacts

Fund (2463)..... \$4,000,000

SECTION 20.213. — To the Office of Administration

For the Department of Health and Senior Services

For the purpose of an early childcare fusion between a Federally Qualified Health Center (FQHC) located in any city with more than fourteen thousand but fewer than sixteen thousand inhabitants and that is the county seat of a county with more than thirty-five thousand but fewer than forty thousand inhabitants and a school district located in any city with more than fourteen thousand but fewer than sixteen thousand inhabitants and that is the county seat of a county with more than thirty-five thousand but fewer than forty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery – Health and Economic Impacts

Fund (2463)..... \$5,000,000

SECTION 20.214. — To the Office of Administration

For the Department of Health and Senior Services

For completion of a surgical center in a hospital located any county with more than twenty-two thousand but fewer than twenty-five thousand inhabitants and with a county seat with more than one thousand nine hundred but fewer than two thousand three hundred inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery – Health and Economic Impacts

Fund (2463)..... \$1,000,000

SECTION 20.215. — To the Office of Administration

For the Department of Higher Education and Workforce Development

To Missouri State University – West Plains

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For completion and operational costs of an autism center, provided that local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$7,500,000

SECTION 20.216. — To the Office of Administration

For the Department of Higher Education and Workforce Development
 To the University of Missouri

For construction and sitework of a center for autism and neurodevelopmental disorders that provides clinical services, research, and training, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$31,500,000

SECTION 20.217. — To the Office of Administration

For the Department of Mental Health

For repair and renovation of an organization that provides transitional living and supportive housing for individuals in recovery from alcohol and drugs, located in any county with more than fifty thousand but fewer than sixty thousand inhabitants and with a county seat with more than seventeen thousand but fewer than twenty-one thousand inhabitants, provided that local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463).....\$607,524

SECTION 20.218. — To the Office of Administration

For the Department of Elementary and Secondary Education

For Cape Girardeau Career and Technology Center, for equipment and structural improvements, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,000,000

SECTION 20.300. — To the Office of Administration

For the Department of Transportation

For investments in waste water improvements, including costs related to the connection of statewide facilities to municipal sewer systems
 From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)\$8,505,000

SECTION 20.310. — To the Office of Administration

For the Department of Agriculture

For a covered arena and stormwater projects at the Missouri State Fairgrounds
 Expense and Equipment
 From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)\$32,602,602

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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SECTION 20.311. — To the Office of Administration
 For the Department of Agriculture
 For competitive grants to innovative projects that promote agriculture in
 urban/suburban communities
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463)..... \$50,000

SECTION 20.325. — To the Office of Administration
 For the Department of Natural Resources
 For water infrastructure grants and lead service-line inventories, provided that
 local match be provided in order to be eligible for state funds
 Personal Service..... \$516,920
 Expense and Equipment..... 411,203,154
 From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)
 (Not to exceed 11.00 F.T.E.)..... \$411,720,074

SECTION 20.326. — To the Office of Administration
 For the Department of Natural Resources
 For the testing, filtration, and remediation of lead in drinking water sources
 within buildings housing early childhood, elementary, and secondary
 education programs which receive state funding
 From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463)..... \$27,000,000

SECTION 20.330. — To the Office of Administration
 For the Department of Natural Resources
 For state park and historic site water and wastewater improvements
 Expense and Equipment
 From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)..... \$40,900,200

SECTION 20.335. — To the Office of Administration
 For the Department of Natural Resources
 For the Missouri Hydrology Information Center
 Personal Service..... \$793,938
 Expense and Equipment..... 9,661,564
 From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)
 (Not to exceed 4.00 F.T.E.)..... \$10,455,502

SECTION 20.350. — To the Office of Administration
 For the Department of Conservation
 For stormwater and flooding repairs at George O. White State Forest Nursery
 and Little River Conservation Area
 From Conservation Commission Fund (0609) \$3,000,000

SECTION 20.360. — To the Office of Administration
 For the Department of Conservation
 For levee setback and road relocation at Columbia Bottom Conservation Area

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 Matter in bold-face type is proposed language.

From Conservation Commission Fund (0609)	\$12,000,000
From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....	<u>15,000,000</u>
Total.....	\$27,000,000

SECTION 20.361. — To the Office of Administration

For the Department of Natural Resources

For water infrastructure projects in a city with more than forty-six thousand but fewer than fifty-one thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery Fund - Water Infrastructure Fund (2462)	\$2,000,000
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SECTION 20.362. — To the Office of Administration

For the Department of Natural Resources

For water infrastructure projects in a city with more than fourteen thousand but fewer than sixteen thousand inhabitants and that is the county seat of a county with more than one hundred twenty thousand but fewer than one hundred fifty thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery Fund - Water Infrastructure Fund (2462)	\$2,000,000
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SECTION 20.363. — To the Office of Administration

For the Department of Natural Resources

For water infrastructure projects in a city with more than fifty-one thousand but fewer than fifty-eight thousand inhabitants and located in more than one county, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery Fund - Water Infrastructure Fund (2462)	\$5,000,000
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SECTION 20.364. — To the Office of Administration

For the Department of Natural Resources

For water and wastewater infrastructure projects in any city with more than eighteen thousand but fewer twenty thousand inhabitants and that is the county seat of a county with more than forty thousand but fewer than fifty thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery Fund - Water Infrastructure Fund (2462)	\$2,000,000
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Matter in bold-face type is proposed language.

SECTION 20.370. — To the Office of Administration

For the Department of Economic Development

For broadband infrastructure

From Coronavirus State Fiscal Recovery - Broadband Fund (2465).....\$53,262,456

From Coronavirus Capital Projects Fund (2431)..... 196,737,544

Total.....\$250,000,000

SECTION 20.371. — To the Office of Administration

For the Department of Economic Development

For reimbursement to broadband providers, for certain costs incurred for state broadband projects to remove, install, or replace utility poles, where such costs are necessary to extend the provider's retail broadband services offering speeds of 100/100 Mbps to an area currently lacking broadband speeds of 25/3 Mbps, excluding providers that have a pre-existing and enforceable federal or state funding commitment for the same location, provided fifty percent (50%) flexibility is allowed from this section to Section 20.370

From Coronavirus State Fiscal Recovery - Broadband Fund (2465).....\$15,000,000

SECTION 20.375. — To the Office of Administration

For the Department of Economic Development

For broadband capacity building

Personal Service.....\$2,103,654

Expense and Equipment..... 7,896,346

From Coronavirus State Fiscal Recovery - Broadband Fund (2465)

(Not to exceed 13.00 F.T.E.).....\$10,000,000

SECTION 20.390. — To the Office of Administration

For the Department of Public Safety

For planning, design, construction and capital improvements to replace water and sanitation lines, connections to municipal wastewater treatment facilities, and establishing water and wastewater service

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$5,312,270

SECTION 20.400. — To the Office of Administration

For the Department of Corrections

For planning, design, construction, maintenance, repair, and capital improvements for the installation of additional broadband capacity within state correctional centers

From Coronavirus State Fiscal Recovery - Broadband Fund (2465).....\$6,221,625

SECTION 20.405. — To the Office of Administration

For the Department of Corrections

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems, and storm water systems at facilities statewide

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$14,105,101

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.500. — To the Office of Administration
 For the Department of Elementary and Secondary Education
 For distributions to providers of vocational education programs, provided that
 twenty-five percent (25%) local matching funds be provided in order to be
 eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$20,000,000

SECTION 20.505. — To the Office of Administration
 For the Department of Higher Education and Workforce Development
 For agriculture innovation and workforce program grants to higher education
 institutions
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$10,000,000

SECTION 20.510. — To the Office of Administration
 For digital government transformation of the State of Missouri information
 technology systems, provided, first, that the vendors included in the Office
 Productivity and Collaboration Suite evaluation that was commissioned by
 the Office of Administration Information Technology Services Division
 (ITSD) have an opportunity to present their relevant product and pricing
 information to the Cabinet Information Technology Governance Council for
 evaluation based on clearly identified predetermined metrics that have been
 communicated to the vendors prior to their presentations to which they will
 be evaluated, scored, and for which a final decision shall be determined by
 the cabinet, provided that not more than twenty-five percent (25%)
 flexibility in F.T.E. is allowed from this section to Section 5.030 of House
 Bill No. 3005, as truly agreed to and finally passed by the 101st General
 Assembly
 Personal Service.....\$12,669,000
 Expense and Equipment.....113,466,000
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)
 (Not to exceed 79.00 F.T.E.).....\$126,135,000

SECTION 20.520. — To the Office of Administration
 For the Department of Agriculture
 For the purpose of replacing the Missouri Department of Agriculture's Grain
 Regulatory Services licensing system
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,011,870

SECTION 20.525. — To the Office of Administration
 For the Department of Social Services
 For the purpose of modernizing the Missouri Department of Social Service's
 Missouri Automated Child Support System
 Personal Service.....\$2,250,000
 Expense and Equipment.....25,000,000
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$27,250,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

SECTION 20.560. — To the Office of Administration
For the Department of Public Safety
For build-out of the Public Safety Broadband Network (PSBN) in Jefferson City
to increase wireless broadband coverage and capacity in and around the
buildings of the Capitol Complex
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$12,326,602

SECTION 20.570. — To the Office of Administration
For the Department of Public Safety
For an additional zone controller in order to reduce load and increase capacity of
the Missouri Statewide Interoperability Network (MOSWIN)
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,100,000

***SECTION 20.571.** — To the Office of Administration
For the Department of Public Safety
For the planning, design, construction, and equipping of an academy facility
serving law enforcement agencies throughout the state of Missouri,
including an administration building, dormitory, physical training facilities,
indoor firing range, and an emergency vehicle operations course
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$83,000,000

I hereby veto \$83,000,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for a new Highway Patrol academy. While I am supportive of law enforcement officers and have made budget recommendations supporting law enforcement, first responders, and other emergency personnel in this budget and in previous budgets, this item cannot be approved as the cost of the project is significantly higher than the appropriated amount. Original project costs were anticipated to be \$149 million, not including \$20 million for site development. The property on which this was planned for construction also has legal encumbrances that would need to be negotiated and addressed. Further, any future construction of a Missouri State Highway Patrol Academy should be a part of a comprehensive state facility plan.

Said section is vetoed in its entirety from \$83,000,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.
From \$83,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.572. — To the Office of Administration
For the Department of Public Safety
For funding of use of force training provided by a POST certified non-profit
entity to all Missouri law enforcement agencies. Such entity shall provide
four hours of training to Missouri law enforcement agencies. Such non-
profit entity shall have a proven track record of successful use of force
training
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.580. — To the Office of Administration

For the Department of Corrections

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, and improvements to institutional security
cameras, camera systems, and associated hardware and software

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$11,683,519

SECTION 20.585. — To the Office of Administration

For the Department of Corrections

For maintenance, repairs, replacements, unprogrammed requirements,
emergency requirements, and improvements to institutional radios, radio
systems, and associated hardware and software

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,652,237

SECTION 20.600. — To the Office of Administration

For the Department of Mental Health

To procure and implement a multi-year, vendor-hosted, integrated
commercial off the shelf electronic health record system for use in all of the
department's hospitals and facilities

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$16,000,000

SECTION 20.610. — To the Office of Administration

For the Department of Health and Senior Services

For the design and construction of a multi-agency One Health Laboratory
Campus, including additional building space, laboratory space, fixtures,
equipment, systems furniture, and parking infrastructure

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$78,626,000

SECTION 20.625. — To the Office of Administration

For the Department of Social Services

For the development of a case management system

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$7,000,000

SECTION 20.630. — To the Office of Administration

For the Department of Social Services

For grants to organizations for services and programs to assist victims of crime,
provided that such funds shall be awarded through a competitive grant
process

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$24,000,000

SECTION 20.640. — To the Office of Administration

For the Department of Economic Development

For capital improvement projects at a non-profit science center located in a city
with more than one hundred sixty thousand but fewer than two hundred
thousand inhabitants, provided that any grant awards disbursed from this
appropriation shall be matched on a 50/50 basis by the recipient or local
entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$500,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.641. — To the Office of Administration

For the Department of Social Services

For capital improvement projects at a youth facility located in a county with more than eighty thousand but fewer than one hundred thousand inhabitants and with a county seat with more than twenty thousand but fewer than twenty-five thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$500,000

SECTION 20.643. — To the Office of Administration

For the Department of Public Safety

For capital improvement projects at a justice center located in a city with more than fifty-one thousand but fewer than fifty-eight thousand inhabitants and located in more than one county, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$1,000,000

***SECTION 20.644.** — To the Office of Administration

For the Department of Natural Resources

For capital improvement projects to a bridge and access trail located in a county with more than thirty thousand but fewer than thirty-five thousand inhabitants and with a county seat with more than two thousand but fewer than three thousand eight hundred inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$300,000

*I hereby veto \$300,000 Coronavirus State Fiscal Recovery – Revenue Replacement for capital improvement projects to a bridge and access trail in Barry County. This funding was not part of my budget recommendations. This is a local responsibility with minimal regional or statewide impact. Other funding mechanisms should be pursued in lieu of state funding for this project. My administration has previously vetoed this project, and our position has not changed.

Said section is vetoed in its entirety from \$300,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund

From \$300,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.645. — To the Office of Administration

For the Department of Transportation

For capital improvement projects at an airport located in a county with more than twenty-two thousand but fewer than twenty-five thousand inhabitants and with a county seat with more than two thousand three hundred but fewer

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than four thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.646. — To the Office of Administration

For the Department of Natural Resources

For capital improvement projects for a nonprofit organization dedicated to collecting and preserving history, including the preservation of an historic courthouse in any county with more than twenty-two thousand but fewer than twenty-five thousand inhabitants and with a county seat with more than five hundred but fewer than nine hundred inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$100,000

SECTION 20.650. — To the Office of Administration

For the Supreme Court

For upgrades to the Case.net system that will provide the public with free access, from their personal internet device, to Case.net identical to the level granted at public access court terminals and currently available to licensed attorneys in the state, provided that any funds remaining upon completion of the Case.net upgrade may be applied to other court improvement projects

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$5,000,000

SECTION 20.700. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Crowder College for the construction and/or renovation needs for a transportation technology building including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,978,000

SECTION 20.705. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For East Central College for the construction and/or renovation needs for a Rolla Campus including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463).....\$6,500,000

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Matter in bold-face type is proposed language.

SECTION 20.710. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Jefferson College for the construction and/or renovation needs for the Arnold Campus including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463).....\$1,821,265

SECTION 20.715. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Metropolitan Community College for the construction and/or renovation needs for the Blue River Campus including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463).....\$10,000,000

SECTION 20.720. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Mineral Area College for the construction and/or renovation needs for a Center for Excellence including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463).....\$5,000,000

SECTION 20.725. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Moberly Area Community College for a Next Century Networking project across the five campus system to include the construction and/or renovation needs for the network including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

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Matter in bold-face type is proposed language.

From Coronavirus State Fiscal Recovery - Revenue Replacement
Fund (2464).....\$1,489,148

SECTION 20.730. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For North Central Missouri College for the construction and/or renovation needs for a student center including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,166,667

SECTION 20.735. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Ozarks Technical Community College for the construction and/or renovation needs for an airframe and power plant maintenance center for excellence including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$5,000,000

SECTION 20.740. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For St. Charles Community College for the construction and/or renovation needs for a workforce technical innovation and transformation campus including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$18,000,000

SECTION 20.745. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For St. Louis Community College for the construction and/or renovation needs for a health sciences center at the Florissant Valley Campus including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall

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Matter in bold-face type is proposed language.

be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$20,000,000

SECTION 20.750. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For State Fair Community College for the construction and/or renovation needs for a center for advanced agriculture and transportation technology including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$5,000,000

SECTION 20.755. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Three Rivers College for the acquisition and improvement of land and construction and/or renovation needs for technical education expansions including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.760. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For State Technical College of Missouri for the construction and/or renovation needs for multiple technical programs for overall student capacity expansions including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$20,000,000

SECTION 20.765. — To the Office of Administration

For the Department of Higher Education and Workforce Development

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

For University of Central Missouri for the deferred maintenance, construction and/or renovation needs for the Humphreys Building including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463).....\$19,900,000

SECTION 20.770. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Southeast Missouri State University for the demolition, construction, and/or renovation needs for a dual role, multi-use, multi-facility comprehensive development including related planning, design, acquisitions, project management, fixtures, equipment, systems furniture, and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$11,000,000

SECTION 20.775. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Missouri State University for the construction and/or renovation needs for a Center for Transformational Education for Life, Physical, and Health Sciences including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463).....\$30,000,000

SECTION 20.780. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Lincoln University for the construction and/or renovation needs for health sciences and crisis center including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463).....\$20,000,000

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Matter in bold-face type is proposed language.

SECTION 20.785. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Truman State University for the demolition of McKinney Center and the construction and/or renovation needs for the Kirk Student Access and Success Center including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$10,517,500

SECTION 20.790. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Northwest Missouri State University for the construction and/or renovation needs for Martindale Hall and related health and allied sciences education program expansions and campus renovations including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$8,500,000

SECTION 20.795. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Missouri Southern State University for the construction and/or renovation needs for the Health Science Innovation Center including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts Fund (2463).....\$15,000,000

SECTION 20.800. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Missouri Western State University and North Central Missouri College collaborative efforts for the construction and/or renovation needs for the Convergent Technology Alliance Center(C-TAC) including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

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Matter in bold-face type is proposed language.

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$5,000,000

SECTION 20.805. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Harris-Stowe State University for the construction and/or renovation needs for a STEM Academic Building including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$15,500,000

SECTION 20.815. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For the University of Missouri-Columbia for construction and/or renovation needs for NextGen Radiopharmaceuticals and Animal Science and directly related academic assets and infrastructure including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
Fund (2463).....\$104,500,000

SECTION 20.816. — To the Office of Administration

For the Department of Higher Education and Workforce Development

To the University of Missouri

For maintenance, repair, and capital improvements of the TE “Jake” Fisher Delta Research Center located in any county with more than fourteen thousand but fewer than fifteen thousand seven hundred inhabitants and with a county seat with more than five thousand five hundred but fewer than eight thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.820. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For Missouri University of Science and Technology for the construction and/or renovation needs for Missouri Protoplex including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million

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Matter in bold-face type is proposed language.

(\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$41,250,000

SECTION 20.825. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For the University of Missouri-Kansas City for the construction and/or renovation needs for a Health Sciences District Development including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$40,000,000

SECTION 20.830. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For the University of Missouri-St. Louis for the demolition, construction and/or renovation needs for a Campus of the Future through a multi-facility comprehensive effort including related planning, design, acquisitions, project management, equipment and start-up costs, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis by the recipient for project costs up to sixty million (\$60,000,000); and further provided project costs over sixty million (\$60,000,000) shall be matched on a 25/75 basis by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$40,000,000

***SECTION 20.831.** — To the Office of Administration

For the Department of Elementary and Secondary Education

For deferred maintenance grants for charter school facilities, provided that charter school has been operating, with students enrolled, for at least five years, further provided the charter school maintains fifteen percent (15%) reserves, further provided that the charter school not be a part of a for-profit charter management organization's network, and further provided the charter school owns or is purchasing the building or is occupying a building owned by the local school district

From Lottery Proceeds Fund (0291).....\$10,000,000

*I hereby veto \$10,000,000 Lottery Proceeds Fund for deferred maintenance grants for charter school facilities. These funds were not included in my budget recommendations. This funding is limited to charter schools, unfairly limiting access to public K-12 schools. Deferred maintenance is the responsibility of the charter sponsor, not the State. My administration has previously vetoed this line for the same reasons specified in this message and our position has not changed, contrary to statements made in the House Budget Committee and on the House floor. Additionally, House Bill 1552 (2022) provides a mechanism for additional funding to charter schools that would be available for maintenance and repairs.

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 Matter in bold-face type is proposed language.

Said section is vetoed in its entirety from \$10,000,000 to \$0 from Lottery Proceeds Fund.
From \$10,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.832. — To the Office of Administration
For the Department of Agriculture

For grants and contracts for utility and rail infrastructure construction and enhancements to support the construction or operation of an agricultural, value-added processing facility in a county with more than fourteen thousand but fewer than fifteen thousand seven hundred inhabitants and with a county seat with more than five thousand five hundred but fewer than eight thousand inhabitants or in any county with more than fifteen thousand seven hundred but fewer than seventeen thousand six hundred inhabitants and with a county seat with more than two thousand but fewer than three thousand inhabitants, provided that any electrical utility infrastructure construction or enhancement for such facility shall only be undertaken by a rural electric cooperative organized or operating under the provisions of and such cooperative may be reimbursed for expenses incurred in furtherance of such project, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,000,000

SECTION 20.833. — To the Office of Administration
For the Department of Public Safety

For providing a matching grant to a county with more than one million inhabitants to establish a regional intelligence and information center, a property control facility, and a training facility and range for law enforcement, provided that any grant award disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$23,000,000

SECTION 20.834. — To the Office of Administration
For the Department of Agriculture

For the Agriculture Business Development Division

For the Agriculture and Small Business Development Authority, for biofuel infrastructure projects

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,000,000

SECTION 20.835. — To the Office of Administration
For the Department of Transportation

For improvements at a historic train station located in a city with more than twenty-seven thousand but fewer than thirty thousand inhabitants and

located in a county with more than one million inhabitants, provided that
 local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$2,500,000

SECTION 20.836. — To the Office of Administration
 For the Department of Elementary and Secondary Education
 For the construction of a new building to provide advanced workforce
 development for a school district located in any city with more than four
 thousand four hundred but fewer than four thousand nine hundred
 inhabitants and located in a county with more than one hundred thousand
 but fewer than one hundred twenty thousand inhabitants and with a county
 seat with more than four thousand but fewer than six thousand inhabitants
 for a technical school, provided that any grant awards disbursed from this
 appropriation shall be matched on a 50/50 basis provided that such funds
 shall be matched by the recipient or local entity
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$30,000,000

***SECTION 20.838.** — To the Office of Administration
 For the Department of Elementary and Secondary Education
 For sidewalk planning, design, maintenance, or construction for a school district
 located in any census designated place with more than twenty thousand but
 fewer than twenty-three thousand inhabitants and located in a county with
 more than one million inhabitants, provided that local match be provided in
 order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,500,000

*I hereby veto \$4,500,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for
 sidewalks for Affton School District. This funding was not part of my budget recommendations.
 This is a local responsibility with minimal regional or statewide impact. Other funding
 mechanisms should be pursued in lieu of earmarked state funding for this project. My
 administration has vetoed similar line items in prior budget years.

Said section is vetoed in its entirety from \$4,500,000 to \$0 from Coronavirus State Fiscal Recovery
 – Revenue Replacement Fund.
 From \$4,500,000 to \$0 in total for the section.

MICHAEL L. PARSON
 GOVERNOR

***SECTION 20.839.** — To the Office of Administration
 For the Department of Elementary and Secondary Education
 For sidewalk planning, design, maintenance, or construction for a school district
 located in a county with more than one million inhabitants with one thousand
 three hundred fifty-nine students enrolled during academic year 2020-2021,
 provided that local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

*I hereby veto \$3,000,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for sidewalks for Hancock Place School District. This funding was not part of my budget recommendations. This is a local responsibility with minimal regional or statewide impact. Other funding mechanisms should be pursued in lieu of earmarked state funding for this project. My administration has vetoed similar line items in prior budget years.

Said section is vetoed in its entirety from \$3,000,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$3,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.840. — To the Office of Administration

For the Department of Public Safety

For the construction of a building that will provide a regional training facility for law enforcement and fire department personnel, located in any city with more than three thousand but fewer than three thousand four hundred inhabitants and located in a county with more than fifteen thousand seven hundred but fewer than seventeen thousand six hundred inhabitants and with a county seat with more than three thousand but fewer than three thousand six hundred inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,000,000

SECTION 20.841. — To the Office of Administration

For the Department of Transportation

For airport repairs and improvements, located in any city with more than three thousand but fewer than three thousand four hundred inhabitants and located in a county with more than fifteen thousand seven hundred but fewer than seventeen thousand six hundred inhabitants and with a county seat with more than three thousand but fewer than three thousand six hundred inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$686,500

***SECTION 20.842.** — To the Office of Administration

For the Department of Transportation

For airport planning, design, maintenance, or construction, located in any county with more than four hundred thousand but fewer than five hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,000,000

*I hereby veto \$3,000,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for airport planning, design, maintenance, or construction in St. Charles County. Due to the proximity of this airport to a major international airport and four other local airports, this investment will have

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minimal regional or statewide impact. Additionally, this airport receives federal funding distributed on a formulaic basis through the Missouri Department of Transportation, and has received more federal funding over the last two years than previous allocations including through the CARES Act, CRRSAA, ARPA, and IIJA. This airport is also eligible for an estimated \$415,620 in Federal Aviation Administration Funds, plus \$150,000 per year over five years, totaling \$715,760 which may be used for capital improvements. This funding was not part of my budget recommendations, and other funding mechanisms should be pursued in lieu of earmarked state funding for this project.

Said section is vetoed in its entirety from \$3,000,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.
From \$3,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.843. — To the Office of Administration

For the Lieutenant Governor

For the planning, design, maintenance, or construction for a library located in any city with more than six thousand three hundred but fewer than seven thousand inhabitants and located in a county with more than two hundred thousand but fewer than two hundred thirty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$400,000

SECTION 20.844. — To the Office of Administration

For the Department of Economic Development

For a local government for the clean-up and preparation for development for a site comprising over one hundred and forty (140) acres which has been abandoned for at least ten years in a county with more than one million inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$6,000,000

SECTION 20.845. — To the Office of Administration

For the Department of Social Services

For the establishment of a campus providing training and research on trauma informed services as well as expending access to services to children and families who are victims of severe trauma, in any county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,200,000

SECTION 20.847. — To the Office of Administration

For the Department of Higher Education and Workforce Development

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

To the University of Missouri
 For equipment and facilities for the Missouri Foundation Seed program,
 provided that local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,240,000

SECTION 20.848. — To the Office of Administration
 For the Department of Higher Education and Workforce Development
 For the planning, design, maintenance, or construction of an agency that
 connects job seekers to training programs and employment, helping
 employers diversify their workforce, and assisting youth with career skills
 located in any county with more than one million inhabitants, provided that
 local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,000,000

SECTION 20.849. — To the Office of Administration
 For the Department of Transportation
 For the planning, design, maintenance, or construction of an Amtrak Station
 located in any city with more than three thousand four hundred but fewer
 than three thousand eight hundred inhabitants and located in a county with
 more than eight thousand but fewer than eight thousand nine hundred
 inhabitants and with a county seat with more than three thousand three
 hundred but fewer than five thousand inhabitants, provided that local match
 be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.850. — To the Office of Administration
 For the Department of Economic Development
 For the planning, design, maintenance, or construction of economic
 development corporations located in any county with more than fifty
 thousand but fewer than sixty thousand inhabitants and with a county seat
 with more than seventeen thousand but fewer than twenty-one thousand
 inhabitants, provided that local match be provided in order to be eligible for
 state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$2,000,000

SECTION 20.851. — To the Office of Administration
 For planning, design, and construction, for a non-profit organization dedicated
 to preserving and cultivating Southwest Missouri's rich agricultural heritage
 by supporting youth in agriculture located in any city with more than one
 hundred sixty thousand but fewer than two hundred thousand inhabitants,
 provided that local match be provided in order to be eligible for state funds
 From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$10,000,000

SECTION 20.852. — To the Office of Administration
 For the Department of Economic Development
 For the maintenance and improvements of a park and sports complex located on
 approximately one hundred twenty seven acres in any city with more than

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 Matter in bold-face type is proposed language.

one hundred sixty thousand but fewer than two hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$13,500,000

SECTION 20.853. — To the Office of Administration

For the Lieutenant Governor

For maintenance and improvements of a library district that serves any county with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants and any city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$6,000,000

***SECTION 20.854.** — To the Office of Administration

For the Department of Transportation

For the maintenance and improvements of a footbridge that is approximately five hundred sixty two feet long located in any city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$5,000,000

*I hereby veto \$5,000,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for the maintenance and improvements of a footbridge in Springfield. This funding was not part of my budget recommendations. This project includes funding for a pedestrian footbridge over a rail line which the Missouri Department of Transportation is required to concur with the City on a bid award, that has not yet occurred.

Said section is vetoed in its entirety from \$5,000,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$5,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.855. — To the Office of Administration

For the Department of Social Services

For the planning, design, maintenance, or construction of a nonprofit social services agency located in any city with more than one hundred twenty-five thousand but fewer than one hundred sixty thousand inhabitants that assists residents who are experiencing hardships by providing resources for basic and emergency needs in aide to overcome hardships and maintain self-sufficiency, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$6,000,000

SECTION 20.856. — To the Office of Administration

For the Department of Social Services

For repair and renovations of a workforce development site in a city not within a county that is operated by a century old organization that annually serves over one hundred thousand (100,000) clients regionally and that advocates and empowers African Americans throughout the region to secure economic self-reliance, social equality and civil rights through economic opportunity, education excellence, community empowerment, and civil rights and advocacy, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,500,000

SECTION 20.857. — To the Office of Administration

For the Department of Economic Development

For the purpose of removing condemned city-owned, vacant properties in any city not within a county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$15,000,000

SECTION 20.858. — To the Office of Administration

For the Department of Economic Development

For the purpose of ADA compliant renovations and improvements to a building located in any city not within a county, that fosters innovation in place based neighborhood businesses, offers co-working space and a neighborhood talent pool, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$50,000

SECTION 20.859. — To the Office of Administration

For the Department of Social Services

For the purpose of renovating a facility gifted to a nonprofit agency that provides therapeutic recovery services to survivors of child sex trafficking, located in any county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$4,100,000

***SECTION 20.860.** — To the Office of Administration

For the Department of Health and Senior Services

For the planning, design, maintenance or construction of a hospital in any city with more than sixteen thousand but fewer than eighteen thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,500,000

*I hereby veto \$2,500,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for the planning, design, maintenance, or construction of a hospital. These funds were not included in my budget recommendations and appear to direct public funds to a private developer for non-

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Matter in bold-face type is proposed language.

public purposes in violation of Article III, Section 38(a) of the Missouri Constitution. While the plain language of the appropriation states the funds are for the "planning, maintenance, or construction of a hospital" the information provided to my administration demonstrates that this language does not meet the actual needs of the project. The City of Hannibal desires the funds for "rehabilitating, reinvesting, and repurposing of a former hospital site" to develop housing for low to moderate income seniors and single families. However, the Department of Health and Senior Services has no statutory authority to provide funding for such developments. Because the appropriation bill attempts to grant this authority to Department of Health and Senior Services, this provision violates the single subject limitation in Article III, Section 23 of the Missouri Constitution. Alternatively, this project could seek funding through the Low-Income Housing Tax Credit Program within the Missouri Housing Development Commission.

Said section is vetoed in its entirety from \$2,500,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$2,500,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.861. — To the Office of Administration

For the Department of Social Services

For a nonprofit community development organization dedicated to individual and family well-being through social services, behavioral health counseling and the arts in any city with more than four hundred thousand inhabitants and located in more than one county in order to address capital improvement needs, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$500,000

SECTION 20.862. — To the Office of Administration

For the Department of Higher Education and Workforce Development

For capital improvements and workforce development needs for a nonprofit membership organization serving business in the south of any city with more than four hundred thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$350,000

SECTION 20.863. — To the Office of Administration

For the Department of Elementary and Secondary Education

For the maintenance and improvements of a school building located in any city with more than two thousand seven hundred but fewer than three thousand inhabitants and located in a county with more than twelve thousand five hundred but fewer than fourteen thousand inhabitants and with a county seat with more than five thousand but fewer than six thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$250,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.864. — To the Office of Administration

For the Department of Public Safety

For maintenance and improvements for county jails, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$10,000,000

SECTION 20.865. — To the Office of Administration

For the Department of Public Safety

For the purchase of equipment for a nonprofit organization located in any city with more than four hundred thousand inhabitants and located in more than one county to help reduce the incident of violent crime and strengthen police services by researching and analyzing the best practices to help reduce violent crime, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$3,000,000

SECTION 20.866. — To the Office of Administration

For the Department of Elementary and Secondary Education

For the replacement of fence for twenty eight schools located in any city not within a county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$800,000

SECTION 20.867. — To the Office of Administration

For the Department of Social Services

For the purpose of a non-profit organization to acquire a building that will provide housing units to a center that works to end homelessness in any county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$890,000

SECTION 20.868. — To the Office of Administration

For the Department of Economic Development

For the planning, design, maintenance or improvements to an athletic complex located on approximately one hundred seventy six acres located in any city with more than forty-six thousand but fewer than fifty-one thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$2,000,000

SECTION 20.869. — To the Office of Administration

For the Department of Social Services

For the construction of a new building for a family and child development center that provides early childcare services, before and after school programs that provide youth assistance, education and resources located any city with more

than four hundred thousand inhabitants and located in more than one county,
provided that local match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.870. — To the Office of Administration

For the Department of Mental Health

For a non-profit organization with three core programs, located in any city with
more than four hundred thousand inhabitants and located in more than one
county, that provides transformational healing and empowers generations of
women and children to achieve recovery, reunification, and resilience,
provided that local match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$2,000,000

SECTION 20.871. — To the Office of Administration

For the Department of Natural Resources

For electrical repairs to a courthouse located in any county with more than two
hundred thousand but fewer than two hundred thirty thousand inhabitants,
provided that local match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$320,000

SECTION 20.872. — To the Office of Administration

For the Department of Economic Development

For a nonprofit agency designated as the primary economic development arm
for a home rule city with more than four hundred thousand inhabitants and
located in more than one county, for the renovation, maintenance and repair
of historic structures owned and located within the city, provided that local
match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.873. — To the Office of Administration

For the Lieutenant Governor

For maintenance, repairs, expansion and improvements for the official Korean
War veterans memorial located any city with more than four hundred
thousand inhabitants and located in more than one county, provided that
local match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$1,000,000

SECTION 20.874. — To the Office of Administration

For the Lieutenant Governor

For the planning, design, maintenance, or construction for a library located in
any city with more than eighteen thousand but fewer than twenty thousand
inhabitants and located in a county with more than two hundred sixty
thousand but fewer than three hundred thousand inhabitants, provided that
local match be provided in order to be eligible for state funds
From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464).....\$4,500,000

***SECTION 20.875.** — To the Office of Administration

For the Department of Public Safety

For a nonprofit organization located in a county with more than seven hundred thousand but fewer than eight hundred thousand inhabitants, seeking to end animal abuse by partnering with law enforcement officers, local governments, and pet shelters to assist with investigations and help create prosecutable cases that ultimately lead to real accountability for users

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$800,000

*I hereby veto \$800,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for non-profit animal abuse investigators. These funds were not included in my budget recommendations and would likely not meet the criteria for use of funds under the American Rescue Plan Act. Funding this appropriation would likely cause confusion as to who has the authority to conduct animal abuse investigations, which should be the responsibility of local law enforcement and animal health specialists, not non-profit organizations aimed at attacking agricultural producers.

Said section is vetoed in its entirety from \$800,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$800,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.876. — To the Office of Administration

For the Department of Social Services

For a nonprofit organization that provides summer food programs, food pantry and safe houses for men and women who are victims of abuse located in any city with more than eighteen thousand but fewer than twenty thousand inhabitants and located in a county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$300,000

SECTION 20.877. — To the Office of Administration

For the Department of Social Services

For a nonprofit organization serving youth for over twenty years that enables young people to reach their full potential as productive, caring, responsible citizens by providing a club experience, including after school and summer programs that assures success located in any city with more than sixteen thousand but fewer than eighteen thousand inhabitants and that is the county seat of a county with more than forty thousand but fewer than fifty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.878. — To the Office of Administration

For the Department of Social Services

For a nonprofit organization that enables young people to reach their full potential as productive, caring, responsible citizens by providing a club experience that assures success that serves nearly eight thousand local kids located in any city with more than four hundred thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$200,000

***SECTION 20.879.** — To the Office of Administration

For the Department of Natural Resources

For the maintenance and improvements of a project that serves as an urban amenity within any city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants, that will encourage redevelopment, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)..... \$7,500,000

*I hereby veto \$7,500,000 Coronavirus State Fiscal Recovery – Water Infrastructure Fund for a project that serves as an urban amenity in Springfield. This funding was not part of my budget recommendations; however, this project could seek funding through other state programs. This project includes funding for a trail-linked public park space along a local waterway. The General Assembly has demonstrated its resistance to funding public trail spaces along waterways that have a statewide or regional impact, demonstrated economic return to local communities and the State, and significant citizen interest and advocacy.

Said section is vetoed in its entirety from \$7,500,000 to \$0 from Coronavirus State Fiscal Recovery – Water Infrastructure Fund.

From \$7,500,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.880. — To the Office of Administration

For the Department of Natural Resources

For wastewater improvements and projects for any city with more than eighteen thousand but fewer than twenty thousand inhabitants and located in a county with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)..... \$25,000,000

SECTION 20.881. — To the Office of Administration

For the Department of Natural Resources

For distribution to any county with more than four hundred thousand but fewer than five hundred thousand inhabitants, for storm water mitigation and

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

remediation in a residential area that has experienced damage to residential property as a result of erosion caused by storm water, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$2,500,000

SECTION 20.882. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems located in any city with more than eight thousand but fewer than nine thousand inhabitants and that is the county seat of a county with more than thirty-five thousand but fewer than forty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$3,159,753

SECTION 20.883. — To the Office of Administration

For the Department of Natural Resources

For the planning, design, maintenance or construction of a flood wall located in any city with more than eleven thousand but fewer than twelve thousand five hundred inhabitants and located in a county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$4,000,000

SECTION 20.884. — To the Office of Administration

For the Department of Natural Resources

For the purpose of constructing bio-stabilization and high rock lining in any city with more than four thousand nine hundred but fewer than five thousand six hundred inhabitants and located in a county with more than one million inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$1,500,000

SECTION 20.885. — To the Office of Administration

For the Department of Natural Resources

For the planning, design, maintenance or construction of a flood wall located in any city with more than three hundred forty but fewer than three hundred eighty-five inhabitants and located in a county with more than fifteen thousand seven hundred but fewer than seventeen thousand six hundred inhabitants and with a county seat with more than three thousand six hundred but fewer than four thousand two hundred ten inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$2,000,000

SECTION 20.886. — To the Office of Administration

For the Department of Natural Resources

For upgrades and maintenance to sewer systems located in any city with more than ninety-five thousand but fewer than one hundred five thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$10,500,000

SECTION 20.887. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems located in any city with more than twenty thousand but fewer than twenty-three thousand inhabitants and that is the county seat of a county with more than eighty thousand but fewer than one hundred thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$3,250,000

SECTION 20.888. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems for a sewer district that serves approximately four hundred fifty sanitary sewer customers located in any county with more than one hundred thousand but fewer than one hundred twenty thousand inhabitants and with a county seat with more than twelve thousand but fewer than fourteen thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$2,875,000

SECTION 20.889. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems located in any city with more than four thousand nine hundred but fewer than five thousand six hundred inhabitants and located in a county with more than seventeen thousand six hundred but fewer than nineteen thousand inhabitants and with a county seat with more than four thousand but fewer than five thousand fifty inhabitants, that serves nearly two thousand customers with six wells and five storage tanks, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462).....\$1,250,000

SECTION 20.890. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems located in any city with more than six thousand three hundred but fewer than seven thousand inhabitants and located in a county with more than two hundred thousand but fewer than two hundred thirty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)..... \$1,000,000

SECTION 20.891. — To the Office of Administration

For the Department of Natural Resources

For planning, design, construction, maintenance, repair, and capital improvements for water storage, water delivery, waste water systems and storm water systems located in any city with more than eleven thousand but fewer than twelve thousand five hundred inhabitants and that is the county seat of a county with more than one hundred thousand but fewer than one hundred twenty thousand inhabitants, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Water Infrastructure Fund (2462)..... \$900,000

SECTION 20.892. — To the Office of Administration

For the Department of Elementary and Secondary Education

For a learning center serving children with disabilities, including a childcare program for children with disabilities, located in any city with more than forty thousand but fewer than fifty-one thousand inhabitants and partially located in a county with more than seventy thousand but fewer than eighty thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient or local entity

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$3,500,000

SECTION 20.893. — To the Office of Administration

For the Lieutenant Governor

For capital improvements and programmatic expansion of a nonprofit performing arts center that delivers accessible live entertainment for all audiences, superior theatre arts education, impactful outreach programs and events that utilize the venue, and helps sustain community engagement programming that impacts nearly twenty-five thousand locals each year, located in any city with more than four hundred thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,000,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.894. — To the Office of Administration

For the Lieutenant Governor

For a world-class historic theater for enhancements to the venue, including upgrades allowing livestream equipment and broadband, located in any city with more than four hundred thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$400,000

***SECTION 20.895.** — To the Office of Administration

For the Department of Social Services

For the renovation and development of a vacant commercial property to include an early childhood center, workforce development center, co-working environment, a bank, and health center, in any city with more than four thousand nine hundred but fewer than five thousand six hundred inhabitants and located in a county with more than one million inhabitants, to provide services that address gaps in access to healthcare and education, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,800,000

*I hereby veto \$2,800,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for the renovation and development of a vacant commercial property. In providing for development of commercial property, this appropriation appears to grant public money to a private person or entity for non-public purposes, in violation of Article III, Section 38(a) of the Missouri Constitution. Additionally, the appropriation bill directs Department of Social Services to provide the funding for specific purposes when the Department of Social Services does not have statutory authority for such developments. Because the appropriation bill attempts to grant this substantive authority to Department of Social Services, this provision violates the single subject limitation in Article III, Section 23 of the Missouri Constitution.

Said section is vetoed in its entirety from \$2,800,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$2,800,000 to \$0 for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.896. — To the Office of Administration

For the Department of Economic Development

For infrastructure development at Riverpointe located in a city with more than sixty-four thousand but fewer than seventy-one thousand inhabitants, provided that any grant awards disbursed from this appropriation shall be matched on a 50/50 basis provided that such funds shall be matched by the recipient

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,500,000

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 20.897. — To the Office of Administration

For the Department of Economic Development

For the redevelopment, reconstruction, and rehabilitation of a historically designated cooperatively-owned project, located in a city with more than four hundred thousand inhabitants and located in more than one county, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$2,000,000

***SECTION 20.899.** — To the Office of Administration

For the Department of Economic Development

For a Film Camp USA designated state-wide youth program that provides children from Missouri the opportunity to become a master of their own stories while obtaining transferable skills through acting, directing, and screenwriting in an effort for the children to make movies and memories, provided that local match be provided in order to be eligible for state funds

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)..... \$1,000,000

*I hereby veto \$1,000,000 Coronavirus State Fiscal Recovery – Revenue Replacement Fund for a Film Camp USA designated state-wide youth program. These funds were not included in my budget recommendations. This is not a good use of taxpayer funds as the cost per camper is estimated to be over \$3,200.

Said section is vetoed in its entirety from \$1,000,000 to \$0 from Coronavirus State Fiscal Recovery – Revenue Replacement Fund.

From \$1,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
GOVERNOR

SECTION 20.900. — To the Office of Administration

For administration of programs appropriated herein

Personal Service..... \$2,299,044

Expense and Equipment..... 593,720

From Coronavirus State Fiscal Recovery - Health and Economic Impacts

Fund (2463) (Not to exceed 12.00 F.T.E.)..... 2,892,764

For the Department of Natural Resources administration of programs appropriated herein

Personal Service..... 658,995

Expense and Equipment..... 199,831

From Coronavirus State Fiscal Recovery - Revenue Replacement Fund (2464)

(Not to exceed 15.00 F.T.E.)..... 858,826

For the Department of Economic Development administration of programs appropriated herein

Personal Service..... 2,204,313

Expense and Equipment..... 319,640

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

From Coronavirus State Fiscal Recovery - Health and Economic Impacts
 Fund (2463) (Not to exceed 10.00 F.T.E.)..... 2,523,953
 Total.....\$6,275,543

SECTION 20.901. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Coronavirus State
 Fiscal Recovery - Revenue Replacement Fund
 From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$820,231,869

SECTION 20.902. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Coronavirus State
 Fiscal Recovery - Water Infrastructure Fund
 From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$608,035,502

SECTION 20.903. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Coronavirus State
 Fiscal Recovery - Health and Economic Impacts Fund
 From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$1,173,083,188

SECTION 20.904. — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Coronavirus State
 Fiscal Recovery - Broadband Fund
 From Coronavirus State Fiscal Recovery Deposits Fund (2427)\$84,484,081

***SECTION 20.905.** — To the Office of Administration

Funds are to be transferred out of the State Treasury to the Tax Credit Offset
 Fund
 From General Revenue Fund (0101)\$500,000,000

*I hereby veto \$500,000,000 general revenue for the transfer to the Tax Credit Offset Fund. The appropriation bill directs that funds be transferred from general revenue to the Tax Credit Offset Fund, but contains no language authorizing the expenditure of any funds out of the Tax Credit Offset Fund. Because the General Assembly did not authorize the expenditure of funds out of the Tax Credit Offset Fund, the withdrawal of these funds would likely violate Article IV, Section 28 of the Missouri Constitution. *See State ex rel. S.S. Kresge Co. v. Howard*, 208 S.W.2d 247, 251 (Mo banc. 1947).

Said section is vetoed in its entirety from \$500,000,000 to \$0 from general revenue.
 From \$500,000,000 to \$0 in total for the section.

MICHAEL L. PARSON
 GOVERNOR

PART 2**SECTION 20.1000.** — To all departments

In reference to all sections in Part 1 of this act:

No funds shall be expended for or from any federal grant in furtherance of administrative costs greater than five percent (5%) of said federal grant amount or in accordance with grant guidelines.

SECTION 20.1005. — To all departments

In reference to all sections in Part 1 of this act:

No funds shall be spent to implement land improvement projects previously rejected by a local tax increment financing commission.

Bill Totals

General Revenue	\$500,000,000
Federal Funds.....	2,882,572,184
Other Funds.....	<u>30,000,000</u>
Total.....	\$3,412,572,184

SS #2 SCS HCS HB 1472

Enacts provisions relating to the offense of money laundering, with penalty provisions.

AN ACT to repeal section 574.105, RSMo, and to enact in lieu thereof one new section relating to the offense of money laundering, with penalty provisions.

SECTION

- A Enacting clause.
574.105 Money laundering — penalty.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 574.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.105, to read as follows:

574.105. MONEY LAUNDERING — PENALTY. — 1. As used in this section, the following terms shall mean:

- (1) "Conducts", initiating, concluding or participating in initiating or concluding a transaction;
- (2) "Criminal activity", any act or activity constituting an offense punishable as a felony pursuant to the laws of Missouri or the United States;
- (3) [~~"Currency", currency and coin of the United States;~~
- (4) ~~"Currency transaction", a transaction involving the physical transfer of currency from one person to another. A transaction which is a transfer of funds by means of bank check, bank draft, wire transfer or other written order, and which does not include the physical transfer of currency is not a currency transaction]~~ **"Cryptocurrency", a digital currency in which transactions are verified and records are maintained by a decentralized system using cryptography;**
- (4) **"Financial transaction", a transaction:**
 - (a) **Involving:**
 - a. **The movement of funds by wire or other means, including blockchain;**
 - b. **One or more monetary instruments; or**
 - c. **The transfer of title to any real property, vehicle, vessel, or aircraft; or**
 - (b) **Involving the use of a financial institution as defined under 31 U.S.C. Section 5312, as amended;**
- (5) **"Monetary instruments":**
 - (a) **Currency and coin of the United States or of any other country, cryptocurrency, travelers' checks, personal checks, bank checks, bank wires, or money orders; or**
 - (b) **Investment securities or negotiable instruments, in bearer form or otherwise in such form that title thereto passes upon delivery;**
- ~~(6) "Person", natural persons, partnerships, trusts, estates, associations, corporations and all entities cognizable as legal personalities;~~
- (7) **"Transaction", a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition, and with respect to a financial institution includes a deposit; withdrawal; transfer between accounts; exchange of currency; loan; extension of credit; purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument; use of a safe deposit box; or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected.**

2. A person commits the offense of money laundering if he or she:

- (1) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the purpose to promote or aid the carrying on of criminal activity; or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter in bold-face type is proposed language.

(2) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the purpose to conceal or disguise in whole or in part the nature, location, source, ownership or control of the proceeds of criminal activity; or

(3) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the purpose to avoid ~~[currency]~~ **financial** transaction reporting requirements under federal law; or

(4) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the purpose to promote or aid the carrying on of criminal activity for the purpose of furthering or making a terrorist threat or act.

3. The offense of money laundering is a class B felony and in addition to penalties otherwise provided by law, a fine of not more than five hundred thousand dollars or twice the amount involved in the transaction, whichever is greater, may be assessed.

Approved June 11, 2022

SS SCS HCS HB 1552

Enacts provisions relating to alternative education programs.

AN ACT to repeal sections 160.415, 160.425, and 161.670, RSMo, and to enact in lieu thereof three new sections relating to alternative education programs.

SECTION

A Enacting clause.

160.415 Distribution of state school aid for charter schools — powers and duties of governing body of charter schools.

160.425 Missouri charter public school commission created, members, duties — funding.

161.670 Course access and virtual school program established, eligibility for enrollment — state aid calculation — enrollment process, payment by district — department duties, annual report — rulemaking authority.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 160.415, 160.425, and 161.670, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 160.415, 160.425, and 161.670, to read as follows:

160.415. DISTRIBUTION OF STATE SCHOOL AID FOR CHARTER SCHOOLS — POWERS AND DUTIES OF GOVERNING BODY OF CHARTER SCHOOLS. — 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the ~~[names, addresses, and]~~ eligibility for free and reduced price lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced price lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a ~~[student]~~ **pupil** discontinues enrollment at a charter school.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such ~~[child]~~ **pupil**.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the ~~[public]~~ charter school or credited to the ~~[public]~~ charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the ~~[student]~~ **pupil** is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local educational agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of ~~[children]~~ **students** in their current ~~[public]~~ charter school setting.

6. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to

negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

7. In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services or management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the education service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to ~~children~~ **students** and their families linked to the school.

9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school ~~may~~ **shall** not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.895, from an unaccredited district.

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Except as otherwise specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated

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in subdivision (17) of subsection 1 of section 160.405. The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing **[body]** board of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation ~~[may]~~ **shall** not be accepted by the governing **[body]** board if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

15. In addition to any state aid remitted to charter schools under this section, the department of elementary and secondary education shall remit to any charter school an amount equal to the weighted average daily attendance of the charter school multiplied by the difference of:

(1) The amount of state aid and local aid per weighted average daily attendance received by the school district in which the charter school is located, not including any funds remitted to charter schools in the district. For the purposes of this subdivision, the weighted average daily attendance of the school district shall not include the weighted average daily attendance of the charter schools located in the district; and

(2) The amount of state aid and local aid per weighted average daily attendance of the charter school received by the charter school.

16. Charter schools may adjust weighted average daily attendance pursuant to section 163.036.

17. When calculating the amounts in subdivisions (1) and (2) of subsection 15 of this section, the department shall utilize the most current data to which the department has access.

18. For the purposes of subsection 15 of this section:

(1) The definitions contained in section 163.011, shall apply;

(2) The term "local aid" shall mean all local and county revenue received, including, but not limited to, the following:

(a) Property taxes and delinquent taxes;

(b) Merchants' and manufacturers' tax revenues;

(c) Financial institutions' tax revenues;

(d) City sales tax revenue, including city sales tax collected in any city not within a county;

(e) Payments in lieu of taxes; and

(f) Revenues from state-assessed railroad and utilities tax;

(3) The term "local aid" shall not be construed to include:

(a) Charitable contributions, gifts, and grants made to school districts;

(b) Interest earnings of school districts and student fees paid to school districts;

(c) Debt service authorized by a public vote for the purpose of making payments on a bond issuance of a school district;

(d) Proposition C revenues received for school purposes from the school district trust fund under section 163.087; or

(e) Any other funding solely intended for a particular school district or their respective employees, schools, foundations, or organizations;

(4) The term "state aid" shall mean any revenues received pursuant to this section and sections 163.043 and 163.087.

19. Notwithstanding any other provision of law to the contrary, subsections 15 to 18 of this section shall be applicable to charter schools operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with more than four hundred thousand inhabitants and located in more than one county;

- (3) In a school district that has been classified as unaccredited by the state board of education;
 - (4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-2013 accreditation year under the conditions described in paragraphs (a) and (b) of subdivision (4) of subsection 2 of section 160.400; or
 - (5) In a school district that has been accredited without provisions, sponsored only by the local school board under the conditions described in subdivision (5) of subsection 2 of section 160.400.
20. (1) The members of the governing board of a charter school shall be residents of the state of Missouri.
- (2) Any current member of a governing board of a charter school who does not meet the requirements in subdivision (1) of this subsection may complete their term. Such individual shall not be re-nominated as a member of the governing board on which he or she sits.
21. Any charter school management company operating a charter school in the state shall be a nonprofit corporation incorporated pursuant to chapter 355.
22. Beginning July 1, 2023, the provisions of section 160.995 shall be applicable to charter schools.
23. Each charter school shall publish its annual performance report on the school's website in a downloadable format.

160.425. MISSOURI CHARTER PUBLIC SCHOOL COMMISSION CREATED, MEMBERS, DUTIES — FUNDING. — 1. The "Missouri Charter Public School Commission" is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri.

2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional district. The term of office of each member shall be four years, except those of the members first appointed, of which three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.

3. The appointees to the commission shall be selected as follows:

- (1) One member selected by the governor from a slate of three recommended by the commissioner of education;
- (2) One member selected by the governor from a slate of three recommended by the commissioner of higher education;
- (3) One member selected by the governor from a slate of three recommended by the president pro tempore of the senate;
- (4) One member selected by the governor from a slate of three recommended by the speaker of the house of representatives; and
- (5) Five additional members appointed by the governor, one of whom shall be selected from a slate of three nominees recommended by the Missouri School Boards Association.

4. Members appointed to the commission shall collectively possess strong experience and expertise in governance, management and finance, school leadership, assessment, curriculum and instruction, and education law. All members of the commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.

5. The commission shall annually elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet at the call of the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when

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requested to do so by three or more members of the commission. Members of the commission are not eligible to receive compensation.

6. The commission may approve proposed charters for its sponsorship under sections 160.400 to 160.425 and shall:

(1) Comply with all of the requirements applicable to sponsors under sections 160.400 to 160.425;

(2) Exercise sponsorship over charters approved by the commission under sections 160.400 to 160.425, including receipt of sponsorship funding under subsection 11 of section 160.400.

Sponsorship funding due to the commission shall be deposited to the credit of the charter public school commission revolving fund created pursuant to this section.

7. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.

8. The commission shall conduct its business in accordance with chapter 610.

9. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds it receives as sponsor under section 160.400.

10. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

11. There is hereby created in the state treasury the "Charter Public School Commission Revolving Fund", which shall consist of moneys collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Subject to appropriation, moneys in the fund shall be used solely for the administration of this section.

161.670. COURSE ACCESS AND VIRTUAL SCHOOL PROGRAM ESTABLISHED, ELIGIBILITY FOR ENROLLMENT — STATE AID CALCULATION — ENROLLMENT PROCESS, PAYMENT BY DISTRICT — DEPARTMENT DUTIES, ANNUAL REPORT — RULEMAKING AUTHORITY. — 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish the "Missouri Course Access and Virtual School Program" to serve school-age students residing in the state. The Missouri course access and virtual school program shall offer **nonclassroom-based** instruction in a virtual setting using technology, intranet, ~~and/or~~ or internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the Missouri course access and virtual school program pursuant to subsection 3 of this section.

2. **(1)** For purposes of calculation and distribution of state school aid, students enrolled in the Missouri course access and virtual school program shall be included in the student enrollment of the school district in which the student ~~physically~~ is enrolled under subsection 3 of this section; **provided that any such student attendance for full-time virtual program students shall only be included in any district pupil attendance calculation under chapter 163 and any charter school pupil attendance calculation under section 160.415, using current year pupil attendance for such full-time virtual program pupils; and further provided that in the case of a host school district enrolling one or more full-time virtual school students, such enrolling district shall receive no less under the state aid calculation for such students than an amount equal to the state adequacy target multiplied by the weighted average daily attendance of such full-time students. Students residing in Missouri and enrolled in a full-time virtual school program operated by a public**

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institution of higher education in this state shall be counted for a state aid calculation by the department, and the department shall pay, from funds dedicated to state school aid payments made under section 163.031, to such institution an amount equal to the state adequacy target multiplied by the weighted average daily attendance of such full-time students.

(2) The Missouri course access and virtual school program shall report to the district of residence the following information about each student served by the Missouri course access and virtual school program: name, address, eligibility for free or reduced-price lunch, limited English proficiency status, special education needs, and the number of courses in which the student is enrolled. The Missouri course access and virtual school program shall promptly notify the resident district when a student discontinues enrollment. A "full-time equivalent student" is a student who ~~successfully has completed~~ **is enrolled in** the instructional equivalent of six credits per regular term. Each Missouri course access and virtual school program course shall count as one class and shall generate that portion of a full-time equivalent that a comparable course offered by the school district would generate.

(3) Pursuant to an education services plan and collaborative agreement under subsection 3 of this section, full-time equivalent students may be allowed to use a physical location of the resident school district for all or some portion of ongoing instructional activity, and the enrollment plan shall provide for reimbursement of costs of the resident district for providing such access pursuant to rules promulgated under this section by the department.

(4) In no case shall more than the full-time equivalency of a regular term of attendance for a single student be used to claim state aid. Full-time equivalent student credit completed shall be reported to the department of elementary and secondary education in the manner prescribed by the department. Nothing in this section shall prohibit students from enrolling in additional courses under a separate agreement that includes terms for paying tuition or course fees.

(5) A full-time virtual school program serving full-time equivalent students shall be considered an attendance center in the host school district and shall participate in the statewide assessment system as defined in section 160.518. The academic performance of students enrolled in a full-time virtual school program shall be assigned to the designated attendance center of the full-time virtual school program and shall be considered in like manner to other attendance centers. The academic performance of any student who disenrolls from a full-time virtual school program and enrolls in a public school or charter school shall not be used in determining the annual performance report score of the attendance center or school district in which the student enrolls for twelve months from the date of enrollment.

(6) For the purposes of this section, a public institution of higher education operating a full-time virtual school program shall be subject to all requirements applicable to a host school district with respect to its full-time equivalent students.

3. (1) A ~~[school district or charter school shall allow any eligible]~~ student who resides in ~~[such district to]~~ **this state may** enroll in Missouri course access and virtual school program courses of his or her choice as a part of the student's annual course load each school year ~~[or a full-time virtual school option]~~, with any costs associated with such course or courses to be paid by the school district or charter school if:

(a) The student is enrolled full-time in ~~[and has attended, for at least one semester immediately prior to enrolling in the Missouri course access and virtual school program,]~~ a public school, including any charter school; ~~except that, no student seeking to enroll in Missouri course access and virtual school program courses under this subdivision shall be required to have attended a public school during the previous semester if the student has a documented medical or psychological diagnosis or condition that prevented the student from attending a school in the community during the previous semester;~~ and

(b) Prior to enrolling in any Missouri course access and virtual school program course, a student has received approval from his or her school district or charter school through the procedure described under subdivision (2) of this subsection.

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(2) Each school district or charter school shall adopt a policy that delineates the process by which a student may enroll in courses provided by the Missouri course access and virtual school program that is substantially similar to the typical process by which a district student would enroll in courses offered by the school district and a charter school student would enroll in courses offered by the charter school. The policy may include consultation with the school's counselor and may include parental notification or authorization. ~~[School counselors shall not be required to approve or disapprove a student's enrollment in the Missouri course access and virtual school program.]~~ **The policy shall ensure that available opportunities for in-person instruction are considered prior to moving a student to virtual courses. The policy shall allow for continuous enrollment throughout the school year.** If the school district or charter school disapproves a student's request to enroll in a course or courses provided by the Missouri course access and virtual school program, ~~[including full time enrollment in courses provided by the Missouri course access and virtual school program.]~~ the reason shall be provided in writing and it shall be for good cause. Good cause justification to disapprove a student's request for enrollment in a course shall be a determination that doing so is not in the best educational interest of the student~~[- In cases of denial by the school district or charter school, local education agencies shall inform the student and the student's family of their right to appeal any enrollment denial in the Missouri course access and virtual school program to the local school district board or charter school governing body where the family shall be given an opportunity to present their reasons for their child or children to enroll in the Missouri course access and virtual school program in an official school board meeting. In addition, the school district or charter school administration shall provide its good cause justification for denial at a school board meeting or governing body meeting. Both the family and school administration shall also provide their reasons in writing to the members of the school board or governing body and the documents shall be entered into the official board minutes. The members of the board or governing body shall issue their decision in writing within thirty calendar days, and then an appeal may be made to the department of elementary and secondary education, which shall provide a final enrollment decision within seven calendar days], and shall be consistent with the determination that would be made for such course request under the process by which a district student would enroll in a similar course offered by the school district and a charter school student would enroll in a similar course offered by the charter school, except that the determination may consider the suitability of virtual courses for the student based on prior participation in virtual courses by the student. Appeals of any course denials under this subsection shall be considered under a policy that is substantially similar to the typical process by which appeals would be considered for a student seeking to enroll in courses offered by the school district and a charter school student seeking to enroll in courses offered by the charter school.~~

(3) For students enrolled in any Missouri course access and virtual school program course in which costs associated with such course are to be paid by the school district or charter school as described under **this** subdivision ~~[(4) of this subsection]~~, the school district or charter school shall pay the content provider directly on a pro rata monthly basis based on a student's completion of assignments and assessments. If a student discontinues enrollment, the district or charter school may stop making monthly payments to the content provider. No school district or charter school shall pay, for any one course for a student, more than the market necessary costs but in no case shall pay more than fourteen percent of the state adequacy target, as defined under section 163.011, as calculated at the end of the most recent school year for any single, year-long course and no more than seven percent of the state adequacy target as described above for any single semester equivalent course. ~~[Payment for a full time virtual school student shall not exceed the state adequacy target, unless the student receives additional federal or state aid. Nothing in this subdivision shall prohibit a school district or charter school from negotiating lower costs directly with course or full time virtual school providers, particularly in cases where several students enroll in a single course or full time virtual school.]~~

(4) For students enrolling in a full-time virtual program, the department of elementary and secondary education shall adopt a policy that delineates the process by which a student who lives in this state may enroll in a virtual program of their choice as provided in this subdivision. Each host school district operating a full-time virtual program under this section shall operate and implement the state enrollment policy, subject to the provisions of this subdivision. The policy shall:

(a) Require the good faith collaboration of the student, the student's parent or guardian if the student is not considered homeless, the virtual program, the host district, and the resident district;

(b) Specify timelines for timely participation by the virtual program, the host district, and resident district; provided that the resident district shall provide any relevant information and input on the enrollment within ten business days of notice from the virtual program of the enrollment application;

(c) Include a survey of the reasons for the student's and parent's interests in participating in the virtual program;

(d) Include consideration of available opportunities for in-person instruction prior to enrolling a student in a virtual program;

(e) Evaluate requests for enrollment based on meeting the needs for a student to be successful considering all relevant factors;

(f) Ensure that, for any enrolling student, an education services plan and collaborative agreement is created to provide all services required to ensure a free and appropriate public education, including financial terms for reimbursement by the host district for the necessary costs of any virtual program, school district, or public or private entity providing all or a portion of such services;

(g) Require the virtual program to determine whether an enrolling student will be admitted, based on the enrollment policy, in consideration of all relevant factors and provide the basis for its determination and any service plan for the student, in writing, to the student, the student's parent or guardian, the host district, and the resident district;

(h) Provide a process for reviewing appeals of decisions made under this subdivision; and

(i) Require the department to publish an annual report based on the enrollments and enrollment surveys conducted under this subdivision, that provides data at the statewide and district levels of sufficient detail to allow analysis of trends regarding the reasons for participation in the virtual program at the statewide and district levels; provided that no such survey results will be published in a manner that reveals individual student information. The department shall also include, in the annual report, data at the statewide and district levels of sufficient detail to allow detection and analysis of the racial, ethnic, and socio-economic balance of virtual program participation among schools and districts at the statewide and district levels, provided that no such survey results will be published in a manner that reveals individual student information.

~~[(4)]~~ (5) In the case of a student who is a candidate for A+ tuition reimbursement and taking a virtual course under this section, the school shall attribute no less than ninety-five percent attendance to any such student who has completed such virtual course.

~~[(5)]~~ (6) The Missouri course access and virtual school program shall ensure that individual learning plans designed by certified teachers and professional staff are developed for all students enrolled in more than two full-time course access program courses or a full-time virtual school.

~~[(6) The department]~~ (7) **Virtual school programs** shall monitor **individual** student success and engagement of students enrolled in their program ~~[and report the information]~~, **provide regular student progress reports for each student at least four times per school year** to the school district or charter school~~]. Providers and the department may make recommendations to the school district or charter school regarding the student's continued enrollment in the program. The school district or charter school~~

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shall consider the recommendations and evaluate the progress and success of enrolled students that are enrolled in any course or full-time virtual school offered under this section and may], **provide the host school district and the resident school district ongoing access to academic and other relevant information on student success and engagement, and shall** terminate or alter the course offering if it is found the course or full-time virtual school is not meeting the educational needs of the students enrolled in the course.

~~[(7) School districts and charter schools shall monitor student progress and success, and course or full-time virtual school quality, and annually provide feedback to-]~~

(8) The department of elementary and secondary education [regarding course quality] shall monitor the aggregate performance of providers and make such information available to the public under subsection 11 of this section.

~~[(8)]~~ **(9)** Pursuant to rules to be promulgated by the department of elementary and secondary education, when a student transfers into a school district or charter school, credits previously gained through successful passage of approved courses under the Missouri course access and virtual school program shall be accepted by the school district or charter school.

~~[(9)]~~ **(10)** Pursuant to rules to be promulgated by the department of elementary and secondary education, if a student transfers into a school district or charter school while enrolled in a Missouri course access and virtual school program course or full-time virtual school, the student shall continue to be enrolled in such course or school.

~~[(10)]~~ **(11)** Nothing in this section shall prohibit home school students, private school students, or students wishing to take additional courses beyond their regular course load from enrolling in Missouri course access and virtual school program courses under an agreement that includes terms for paying tuition or course fees.

~~[(11)]~~ **(12)** Nothing in this subsection shall require any school district, charter school, **virtual program**, or the state to provide computers, equipment, or internet access to any student unless required **[by] under the education services plan created for an eligible student under subdivision (4) of this subsection or for an eligible student** with a disability to comply with federal law. **An education services plan may require an eligible student to have access to school facilities of the resident school district during regular school hours for participation and instructional activities of a virtual program under this section, and the education services plan shall provide for reimbursement of the resident school district for such access pursuant to rules adopted by the department under this section.**

~~[(12)]~~ **(13)** The authorization process shall provide for continuous monitoring of approved providers and courses. The department shall revoke or suspend or take other corrective action regarding the authorization of any course or provider no longer meeting the requirements of the program. Unless immediate action is necessary, prior to revocation or suspension, the department shall notify the provider and give the provider a reasonable time period to take corrective action to avoid revocation or suspension. The process shall provide for periodic renewal of authorization no less frequently than once every three years.

~~[(13)]~~ **(14)** Courses approved as of August 28, 2018, by the department to participate in the Missouri virtual instruction program shall be automatically approved to participate in the Missouri course access and virtual school program, but shall be subject to periodic renewal.

~~[(14)]~~ **(15)** Any online course or virtual program offered by a school district or charter school, including those offered prior to August 28, 2018, which meets the requirements of section 162.1250 shall be automatically approved to participate in the Missouri course access and virtual school program. Such course or program shall be subject to periodic renewal. A school district or charter school offering such a course or virtual school program shall be deemed an approved provider.

4. (1) As used in this subsection, the term "instructional activities" means classroom-based or nonclassroom-based activities that a student shall be expected to complete, participate in, or attend during any given school day, such as:

- (a) Online logins to curricula or programs;
- (b) Offline activities;
- (c) Completed assignments within a particular program, curriculum, or class;
- (d) Testing;
- (e) Face-to-face communications or meetings with school staff;
- (f) Telephone or video conferences with school staff;
- (g) School-sanctioned field trips; or
- (h) Orientation.

(2) A full-time virtual school shall submit a notification to the parent or guardian of any student who is not consistently engaged in instructional activities.

(3) Each full-time virtual school shall develop, adopt, and post on the school's website a policy setting forth the consequences for a student who fails to complete the required instructional activities. Such policy shall state, at a minimum, that if a student fails to complete the instructional activities after receiving a notification under subdivision (2) of this subsection, and after reasonable intervention strategies have been implemented, that the student shall be subject to certain consequences which may include disenrollment from the school. Prior to any disenrollment, the parent or guardian shall have the opportunity to present any information that the parent deems relevant, and such information shall be considered prior to any final decision.

(4) If a full-time virtual school disenrolls a student under subdivision (3) of this subsection, the school shall immediately provide written notification to such student's school district of residence. The student's school district of residence shall then provide to the parents or guardian of the student a written list of available educational options and promptly enroll the student in the selected option. Any student disenrolled from a full-time virtual school shall be prohibited from re-enrolling in the same virtual school for the remainder of the school year.

5. School districts or charter schools shall inform parents of their child's right to participate in the program. Availability of the program shall be made clear in the parent handbook, registration documents, and featured on the home page of the school district or charter school's website.

~~[5.]~~ 6. The department shall:

(1) Establish an authorization process for course or full-time virtual school providers that includes multiple opportunities for submission each year;

(2) Pursuant to the time line established by the department, authorize course or full-time virtual school providers that:

- (a) Submit all necessary information pursuant to the requirements of the process; and
- (b) Meet the criteria described in subdivision (3) of this subsection;

(3) Review, pursuant to the authorization process, proposals from providers to provide a comprehensive, full-time equivalent course of study for students through the Missouri course access and virtual school program. The department shall ensure that these comprehensive courses of study align to state academic standards and that there is consistency and compatibility in the curriculum used by all providers from one grade level to the next grade level;

(4) Within thirty days of any denial, provide a written explanation to any course or full-time virtual school providers that are denied authorization.

~~[6.-If]~~ (5) **Allow** a course or full-time virtual school provider ~~[is]~~ denied authorization~~[-the course provider may]~~ to reapply at any point in the future.

7. The department shall publish the process established under this section, including any deadlines and any guidelines applicable to the submission and authorization process for course or full-time virtual school providers on its website.

8. If the department determines that there are insufficient funds available for evaluating and authorizing course or full-time virtual school providers, the department may charge applicant course or full-time virtual school providers a fee up to, but no greater than, the amount of the costs in order to ensure that evaluation occurs. The department shall establish and publish a fee schedule for purposes of this subsection.

9. Except as specified in this section and as may be specified by rule of the state board of education, the Missouri course access and virtual school program shall comply with all state laws and regulations applicable to school districts, including but not limited to the Missouri school improvement program (MSIP), annual performance report (APR), teacher certification, ~~and~~ curriculum standards, **audit requirements under chapter 165, access to public records under chapter 610, and school accountability report cards under section 160.522. Teachers and administrators employed by a virtual provider shall be considered to be employed in a public school for all certification purposes under chapter 168.**

10. The department shall submit and publicly publish an annual report on the Missouri course access and virtual school program and the participation of entities to the governor, the chair and ranking member of the senate education committee, and the chair and ranking member of the house of representatives elementary and secondary education committee. The report shall at a minimum include the following information:

- (1) The annual number of unique students participating in courses authorized under this section and the total number of courses in which students are enrolled in;
- (2) The number of authorized providers;
- (3) The number of authorized courses and the number of students enrolled in each course;
- (4) The number of courses available by subject and grade level;
- (5) The number of students enrolled in courses broken down by subject and grade level;
- (6) Student outcome data, including completion rates, student learning gains, student performance on state or nationally accepted assessments, by subject and grade level per provider. This outcome data shall be published in a manner that protects student privacy;
- (7) The costs per course;
- (8) Evaluation of in-school course availability compared to course access availability to ensure gaps in course access are being addressed statewide.

11. (1) The department shall be responsible for creating the Missouri course access and virtual school program catalog providing a listing of all courses authorized and available to students in the state, detailed information, including costs per course, about the courses to inform student enrollment decisions, and the ability for students to submit their course enrollments.

(2) **On or before January 1, 2023, the department shall publish on its website, and distribute to all school districts and charter schools in this state, a guidance document that details the options for virtual course access and full-time virtual course access for all students in the state. The guidance document shall include a complete and readily understood description of the applicable enrollment processes including the opportunity for students to enroll and the roles and responsibilities of the student, parent, virtual provider, school district or districts, and charter schools, as appropriate. The guidance document shall be distributed in written and electronic form to all school districts, charter schools, and virtual providers. School districts and charter schools shall provide a copy of the guidance document to every pupil and parent or legal guardian of every pupil enrolled in the district or charter school at the beginning of each school year and upon enrollment for every pupil enrolling at a different time of the school year. School districts and charter schools shall provide a readily viewable link to the electronic version of the guidance document on the main page of the district's or charter school's website.**

12. The state board of education through the rulemaking process and the department of elementary and secondary education in its policies and procedures shall ensure that multiple content providers and

learning management systems are allowed, ensure digital content conforms to accessibility requirements, provide an easily accessible link for providers to submit courses or full-time virtual schools on the Missouri course access and virtual school program website, and allow any person, organization, or entity to submit courses or full-time virtual schools for approval. No content provider shall be allowed that is unwilling to accept payments in the amount and manner as described under subdivision (3) of subsection 3 of this section or does not meet performance or quality standards adopted by the state board of education.

13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

Approved June 29, 2022

HB 1600

Enacts provisions relating to employees of the general assembly.

AN ACT to repeal section 21.155, RSMo, and to enact in lieu thereof one new section relating to employees of the general assembly.

SECTION

A Enacting clause.

21.155 Legislative employees, number, how determined.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 21.155, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 21.155, to read as follows:

21.155. LEGISLATIVE EMPLOYEES, NUMBER, HOW DETERMINED. — 1. The accounts committee of the senate and the accounts committee of the house of representatives shall each, on January fifteenth of each year, set the total number of employees for their respective houses, taking into account the rates of pay set as provided in section 21.150 and the appropriations made therefor.

2. During any session of a general assembly, each representative may employ one stenographer or secretary, and the remainder of the officers and employees of the house of representatives, except the elective officers thereof, shall be selected or appointed by the members of the majority party of the house of representatives.

3. During any session of a general assembly, each senator may employ one stenographer or secretary, and the accounts committee of the senate, as provided in this section, may employ and assign such other employees as may be necessary for the operation of the senate.

4. The senate and house of representatives may each ~~by resolution,~~ continue in employment at their regular salaries, such number of efficient employees of each body after any adjournment of a regular session or sine die adjournment of the general assembly as may be necessary for operation of

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their respective houses~~], and the resolutions shall also set the terms of such employment].~~ All employees assigned to individual members of the general assembly or to committees shall be divided between the majority and minority parties in proportion to the number of members of each party in the respective bodies.

Approved June 7, 2022

CCS SS SCS HCS HB 1606

Enacts provisions relating to political subdivisions, with a delayed effective date for a certain section and with penalty provisions.

AN ACT to repeal sections 50.327, 50.800, 50.810, 50.815, 50.820, 55.160, 57.317, 58.095, 58.200, 59.310, 67.457, 67.461, 67.1421, 67.1431, 67.1471, 70.631, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.825, 92.835, 92.840, 92.852, 92.855, 99.825, 99.830, 99.865, 105.145, 140.170, 140.190, 238.212, 238.222, 304.022, 442.130, 473.742, and 523.061, RSMo, and to enact in lieu thereof fifty new sections relating to political subdivisions, with a delayed effective date for a certain section and with penalty provisions.

SECTION

A Enacting clause.

- 50.327 Base salary schedules for county officials — salary commission responsible for computation of county official salaries, except for charter counties — salary increases, when.
- 50.800 Commission to prepare and publish financial statements — contents (second, third and fourth class counties).
- 50.810 Statements, where filed — failure to comply, penalty (second, third and fourth class counties).
- 50.815 Financial statement of county, when published, contents — certificate, penalty (certain first class counties).
- 50.820 Statement, how published — duties of state auditor (certain first class counties).
- 55.160 Duties (second classification and certain first classification counties).
- 57.317 Compensation of sheriff — training program, attendance required, when, expenses, compensation — minimum compensation (noncharter counties).
- 58.095 Compensation of county coroner — training program, attendance required, when, expenses, compensation (noncharter counties).
- 58.200 To perform duties of sheriff when office is vacant.
- 59.310 Documents for recording — page, defined — size of type or print — signature requirements — recorder's fee.
- 67.457 Establishment of neighborhood improvement districts — procedure — notice of elections, contents — alternatives, petition, contents — maintenance costs, assessment — recording requirements.
- 67.461 Assessments, plans, specifications — public filing — duties of clerk — notice.
- 67.1421 Public hearing to establish — petition, requirements — clerk's duties — amended petition — clerk to report.
- 67.1431 Public hearing, notice.
- 67.1471 Fiscal year — budget — meeting — report — audit.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

- 67.2300 Homelessness, use of state funds, when — state-owned lands not to be used for unauthorized sleeping, camping, or shelters — no state funding, when — rules.
- 70.631 Addition of public safety personnel members to the system, how — requirements and limitations — applicable only in certain counties.
- 92.720 Unredeemed lands, how proceeded against, lists — limitation on actions.
- 92.740 Petition, form, contents.
- 92.750 Redemption by interested party, certificate — foreclosure sale, effect of.
- 92.760 Notice of filing, how made, form of.
- 92.765 Records of actions taken, where filed.
- 92.770 Attorneys, employment authorized, compensation.
- 92.775 Trial, evidence, judgment — severances — jury not authorized — precedence of action.
- 92.810 Waiting period after final judgment — notice of sale to owners, form of — failure to redeem, transfer, purpose, reimbursement.
- 92.815 Redemption contracts, installment payments.
- 92.817 Foreclosure sale stayed, when — procedure.
- 92.825 Sale, how conducted — interest conveyed — costs, how advanced — purchase price, payable when, amount.
- 92.835 Title, how held by reutilization authority — title, how taken by others.
- 92.840 Confirmation of sales, when — proceeds of sale, how applied — occupancy permit, defined, when required, effect, failure to obtain, result.
- 92.852 Recording fee, sheriff's deed given pursuant to municipal land reutilization law, assessed when — recorded, when.
- 92.855 Sheriff's deed, effect of.
- 99.825 Adoption of ordinance for redevelopment, public hearing required — objection procedure — hearing and notices not required, when — restrictions on certain projects.
- 99.830 Notice of public hearings, publication and mailing requirements, contents.
- 99.865 Report by municipalities, contents, publication — satisfactory progress of project, procedure to determine — reports by department of revenue required, when, contents, publication on accountability portal — rulemaking authority — department to provide manual, contents — penalty for failure to comply.
- 105.145 Political subdivisions to make annual report of financial transactions to state auditor — state auditor to report violations — collection of fines, exemption.
- 140.170 County collector to publish delinquent land list — contents — site of sale — expenses — publisher's affidavit to be recorded — exception for certain property, contents of list.
- 140.190 Period of sale — manner of bids — prohibited sales — sale to nonresidents — restrictions, City of St. Joseph.
- 144.051 2026 FIFA World Cup soccer tournament, charges for admission not subject to state and local sales tax.
- 238.212 Notice to public, how.
- 238.222 Powers of board, generally — officers, meetings, expenses — quorum — notification of organization to state auditor.
- 260.295 Refrigerants, use of — building codes not to prohibit if approved for use under federal law.
- 304.022 Emergency and stationary vehicles — use of lights and sirens — right-of-way — procedure — penalty.
- 442.130 Execution of deeds and other conveyances.
- 473.742 Salary schedule for public administrators, certain counties — administrator to choose salary or fee collection — certain administrators may join LAGERS.
- 523.061 Determination of homestead taking and heritage value.

- 1 Conveyance of property located in City of Kirksville, Adair County, to the Kirksville R-III School District.
- 2 Conveyance of property located in City of Kirksville, Adair County, to Truman State University.
- 3 Conveyance of property located in City of Rolla, Phelps County, to Edgewood Investments.
- 4 Conveyance of property located in the City of St. Louis, Hutchinson's Subdivision.
- 5 Conveyance of property located in St. Louis County, Bernadette Subdivision.
- 6 COVID-19 vaccination not required for political subdivision public employees.
- B Effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 50.327, 50.800, 50.810, 50.815, 50.820, 55.160, 57.317, 58.095, 58.200, 59.310, 67.457, 67.461, 67.1421, 67.1431, 67.1471, 70.631, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.825, 92.835, 92.840, 92.852, 92.855, 99.825, 99.830, 99.865, 105.145, 140.170, 140.190, 238.212, 238.222, 304.022, 442.130, 473.742, and 523.061, RSMo, are repealed and fifty new sections enacted in lieu thereof, to be known as sections 50.327, 50.815, 50.820, 55.160, 57.317, 58.095, 58.200, 59.310, 67.457, 67.461, 67.1421, 67.1431, 67.1471, 67.2300, 70.631, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.817, 92.825, 92.835, 92.840, 92.852, 92.855, 99.825, 99.830, 99.865, 105.145, 140.170, 140.190, 144.051, 238.212, 238.222, 260.295, 304.022, 442.130, 473.742, 523.061, 1, 2, 3, 4, 5, and 6, to read as follows:

50.327. BASE SALARY SCHEDULES FOR COUNTY OFFICIALS — SALARY COMMISSION RESPONSIBLE FOR COMPUTATION OF COUNTY OFFICIAL SALARIES, EXCEPT FOR CHARTER COUNTIES — SALARY INCREASES, WHEN. — 1. Notwithstanding any other provisions of law to the contrary, the salary schedules contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 56.265, 58.095, and 473.742 shall be set as a base schedule for those county officials. Except when it is necessary to increase newly elected or reelected county officials' salaries, in accordance with Section 13, Article VII, Constitution of Missouri, to comply with the requirements of this section, the salary commission in all counties except charter counties in this state shall be responsible for the computation of salaries of all county officials; provided, however, that any percentage salary adjustments in a county shall be equal for all such officials in that county.

2. Upon majority approval of the salary commission, the annual compensation of part-time prosecutors contained in section 56.265 and the county offices contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and 473.742 may be increased by up to two thousand dollars greater than the compensation provided by the salary schedules; provided, however, that any vote to increase compensation be effective for all county offices in that county subject to the salary commission.

3. Upon the majority approval of the salary commission, the annual compensation of a county coroner of any county ~~[of the second classification]~~ **not having a charter form of government** as provided in section 58.095 may be increased up to fourteen thousand dollars greater than the compensation provided by the salary schedule of such section.

4. **The salary commission of any county of the third classification may amend the base schedules for the computation of salaries for county officials referenced in subsection 1 of this section to include assessed valuation factors in excess of three hundred million dollars; provided**

that the percentage of any adjustments in assessed valuation factors shall be equal for all such officials in that county.

50.815. FINANCIAL STATEMENT OF COUNTY, WHEN PUBLISHED, CONTENTS — CERTIFICATE, PENALTY (CERTAIN FIRST CLASS COUNTIES).— 1. On or before ~~[the first Monday in March]~~ **June thirtieth** of each year, the county commission of each county of the first ~~[class not having a charter form of government]~~, **second, third, or fourth classification** shall, with the assistance of the county clerk **or other officer responsible for the preparation of the financial statement**, prepare and publish in some newspaper of general circulation published in the county, **as provided under section 493.050**, a financial statement of the county for the year ending the preceding December thirty-first.

2. The financial statement shall show at least the following:

- (1) A summary of the receipts of each fund of the county for the year;
- (2) A summary of the disbursements and transfers of each fund of the county for the year;
- (3) A statement of the cash balance at the beginning and at the end of the year for each fund of the county;
- (4) A summary of delinquent taxes and other due bills for each fund of the county;
- (5) A summary of warrants of each fund of the county outstanding at the end of the year;
- (6) A statement of bonded indebtedness, if any, at the beginning and at the end of the year for each fund of the county; ~~and~~
- (7) A statement of the tax levies of each fund of the county for the year; **and**
- (8) The name, office, and current gross annual salary of each elected or appointed county official.**

3. The financial statement need not show specific disbursements, warrants issued, or the names of specific payees **except to comply with subdivision (8) of subsection 2 of this section**, but every individual warrant, voucher, receipt, court order and all other items, records, documents and other information which are not specifically required to be retained by the officer having initial charge thereof ~~[and which would be required to be included in or to construct a financial statement in the form prescribed for other counties by section 50.800]~~ shall be filed on or before the date of publication of the financial statement prescribed by subsection 1 **of this section** in the office of the county clerk~~[-and]~~. The county clerk **or other officer responsible for the preparation of the financial statement** shall preserve the same, **shall provide an electronic copy of the data used to create the financial statement without charge to any newspaper requesting a copy of such data**, and shall cause the same to be available for inspection during normal business hours on the request of any person, for a period of five years following the date of filing in his **or her** office, after which five-year period these records may be disposed of according to law unless they are the subject of a legal suit pending at the expiration of that period.

4. At the end of the financial statement, each commissioner of the county commission and the county clerk shall sign and append the following certificate:

We, _____, _____, and _____, duly elected commissioners of the county commission of _____ County, Missouri, and I, _____, county clerk of that county, certify that the above and foregoing is a complete and correct statement of every item of information required in section 50.815 for the year ending December 31, ~~[19]~~ **20**_____, and we have checked every receipt from every source and every disbursement of every kind and to whom and for what each disbursement was made, and each receipt and disbursement is accurately included in the above and foregoing totals. (If for any reason complete and accurate information is not given the

following shall be added to the certificate.) Exceptions: the above report is incomplete because proper information was not available in the following records _____ which are in the keeping of the following officer or officers _____.

Date _____

Commissioners, County Commission

County Clerk

5. Any person falsely certifying to any fact covered by the certificate is liable on his **or her** bond and is guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not less than two hundred dollars or more than one thousand dollars, or by confinement in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and confinement. Any person charged with preparing the financial report who willfully or knowingly makes a false report of any record is, in addition to the penalties otherwise provided for in this section, guilty of a felony, and upon conviction thereof shall be sentenced to imprisonment by the ~~[division]~~ **department** of corrections for a term of not less than two years nor more than five years.

~~[6. The provisions of sections 50.800 and 50.810 do not apply to counties of the first class not having a charter form of government, except as provided in subsection 3 of this section.]~~

50.820. STATEMENT, HOW PUBLISHED — DUTIES OF STATE AUDITOR (CERTAIN FIRST CLASS COUNTIES). — 1. The statement required by section 50.815 shall be set in the standard column width measure which will take the least space and the publisher shall file two proofs of publication with the county commission and the commission shall forward one proof to the state auditor and shall file the other in the office of the commission. **As required under section 493.025, a newspaper publishing the statement shall charge and receive no more than its regular local classified advertising rate, which shall be the rate on the newspaper's rate schedule that was offered to the public thirty days before the publication of the statement.** The county commission shall ~~[not]~~ pay the publisher ~~[until]~~ **upon the filing of** proof of publication ~~[is filed]~~ with the commission ~~[and]~~. **After verification, the state auditor ~~[notifies]~~ shall notify** the commission that proof of publication has been received and that it complies with the requirements of this section.

2. The statement shall be spread on the record of the commission and for this purpose the publisher shall be required to furnish the commission with at least two copies of the statement which may be ~~[pasted on]~~ **placed in** the record.

3. The state auditor shall notify the county treasurer immediately of the receipt of the proof of publication of the statement. After the first day of ~~[April]~~ **July** of each year the county treasurer shall not pay or enter for protest any warrant for the pay of any of the county commission until notice is received from the state auditor that the required proof of publication has been filed. ~~[Any county treasurer paying or entering for protest any warrant for any commissioner of the county commission prior to the receipt of such notice from the state auditor shall be liable therefor on his official bond.]~~

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Matter in bold-face type is proposed language.

4. The state auditor shall prepare sample forms for financial statements required by section 50.815 and shall ~~mail~~ **provide** the same to the county clerk of each county of the first ~~class not having a charter form of government~~, **second, third, or fourth classification** in this state, but failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section or by section 50.815. If any county officer fails, neglects, or refuses to comply with the provisions of this section or section 50.815 ~~he~~, **the county officer** shall, in addition to other penalties provided by law, be liable on his **or her** official bond for dereliction of duty.

55.160. DUTIES (SECOND CLASSIFICATION AND CERTAIN FIRST CLASSIFICATION COUNTIES). — The auditor of each county of the first classification not having a charter form of government and of each county of the second classification shall keep an inventory of all county property under the control and management of the various officers and departments and shall annually take an inventory of such property at an original value of one thousand dollars or more showing the amount, location and estimated value thereof. The auditor shall keep accounts of all appropriations and expenditures made by the county commission, and no warrant shall be drawn or obligation incurred without the auditor's certification that an unencumbered balance, sufficient to pay the same, remain in the appropriate account or in the anticipated revenue fund against which such warrant or obligation is to be charged. The auditor shall audit the accounts of all officers of the county annually or upon their retirement from office. The auditor shall audit, examine and adjust all accounts, demands, and claims of every kind and character presented for payment against the county, and shall in the auditor's discretion approve to the county commission of the county all lawful, true, just and legal accounts, demands and claims of every kind and character payable out of the county revenue or out of any county funds before the same shall be allowed and a warrant issued therefor by the commission. Whenever the auditor thinks it necessary to the proper examination of any account, demand or claim, the auditor may examine the parties, witnesses, and others on oath or affirmation touching any matter or circumstance in the examination of such account, demand or claim before the auditor allows same. The auditor shall not be personally liable for any cost for any proceeding instituted against the auditor in the auditor's official capacity. The auditor shall keep a correct account between the county and all county and township officers, and shall examine all records and settlements made by them for and with the county commission or with each other, and the auditor shall, whenever the auditor desires, have access to all books, county records or papers kept by any county or township officer or road overseer. The auditor shall, during the first four days of each month, strike a balance in the case of each county and township officer, showing the amount of money collected by each, the amount of money due from each to the county, and the amount of money due from any source whatever to such office, and the auditor shall include in such balance any fees that have been returned to the county commission or to the auditor as unpaid and which since having been returned have been collected. **Upon request, the auditor shall have access to and the ability to audit and examine claims of every kind and character for which a county officer has a fiduciary duty.**

57.317. COMPENSATION OF SHERIFF — TRAINING PROGRAM, ATTENDANCE REQUIRED, WHEN, EXPENSES, COMPENSATION — MINIMUM COMPENSATION (NONCHARTER COUNTIES).

— 1. (1) **Except in a noncharter county of the first classification with more than one hundred fifty thousand and less than two hundred thousand inhabitants,** the county sheriff in any county of the first or second classification shall receive an annual salary equal to eighty percent of the compensation of an associate circuit judge of the county.

(2) The county sheriff in any county of the third or fourth classification shall receive an annual salary computed as the following percentages of the compensation of an associate circuit judge of the county. If there is an increase in salary of less than ten thousand dollars, the increase shall take effect on January 1, 2022. If there is an increase of ten thousand dollars or more, the increase shall be paid

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over a period of five years in twenty percent increments per year. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff from the prior year.

Assessed Valuation			Percentage
\$18,000,000	to	99,999,999	45%
100,000,000	to	249,999,999	50%
250,000,000	to	449,999,999	55%
450,000,000	to	899,999,999	60%
900,000,000		and over	65%

2. Two thousand dollars of the salary authorized in this section shall be payable to the sheriff only if the sheriff has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the sheriff's office when approved by a professional association of the county sheriffs of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each sheriff who completes the training program and shall send a list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county sheriff in the same manner as other expenses as may be appropriated for that purpose.

3. The county sheriff in any county other than a charter county shall not receive an annual compensation less than the compensation described under this section.

58.095. COMPENSATION OF COUNTY CORONER — TRAINING PROGRAM, ATTENDANCE REQUIRED, WHEN, EXPENSES, COMPENSATION (NONCHARTER COUNTIES). — 1. The county coroner in any county not having a charter form of government shall receive an annual salary computed on a basis as set forth in the following schedule **as well as any adjustment authorized under subsection 3 of section 50.327**. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:

Assessed Valuation			Salary
\$18,000,000	to	40,999,999	\$8,000
41,000,000	to	53,999,999	8,500
54,000,000	to	65,999,999	9,000
66,000,000	to	85,999,999	9,500
86,000,000	to	99,999,999	10,000
100,000,000	to	130,999,999	11,000
131,000,000	to	159,999,999	12,000

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160,000,000	to	189,999,999	13,000
190,000,000	to	249,999,999	14,000
250,000,000	to	299,999,999	15,000
300,000,000	or	more	16,000

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year as established by the coroner standards and training commission unless exempted from the training by the Missouri Coroners' and Medical Examiners' Association for good cause. The Missouri Coroners' and Medical Examiners' Association shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county and the department of health and senior services. The coroner standards and training commission may certify training programs that satisfy the requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association which, upon validating the certified training, shall submit the individual's name to the county treasurer and department of health and senior services indicating the individual is compliant with the training requirements. Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

3. The county coroner in any county not having a charter form of government shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of that county for the year beginning January 1, 1997. In those counties in which the salary commission has voted to pay one hundred percent of the maximum allowable salary, the compensation of the coroner shall be based on the maximum allowable salary in effect at each time a coroner's term of office commences following the vote to pay one hundred percent of the maximum allowable compensation. Subsequent compensation shall be determined as provided in section 50.333.

5. Effective January 1, 1997, the county coroner in any county not having a charter form of government may, upon the approval of the county commission, receive additional compensation for any month during which investigations or other services are performed for three or more decedents in the same incident during such month. The additional compensation shall be an amount that when added to the regular compensation the sum shall equal the monthly compensation of the county sheriff.

58.200. TO PERFORM DUTIES OF SHERIFF WHEN OFFICE IS VACANT. — When the office of sheriff shall be vacant, by death or otherwise, the coroner of the county is authorized to perform all the duties which are by law required to be performed by the sheriff, until another sheriff for such county shall be appointed and qualified[;] and such coroner shall have notice thereof[; and]. In such case, said coroner may appoint one or more deputies, with the approbation of the judge of the circuit court[;], and

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every such appointment, with the oath of office endorsed thereon, shall be filed in the office of the clerk of the circuit court of the county. **If the coroner becomes the acting sheriff and the sheriff is no longer receiving the sheriff's salary, the coroner may be paid, in addition to the coroner's salary, the difference between the salaries of sheriff and coroner so that the coroner receives the equivalent of the sheriff's salary while serving as acting sheriff.**

59.310. DOCUMENTS FOR RECORDING — PAGE, DEFINED — SIZE OF TYPE OR PRINT — SIGNATURE REQUIREMENTS — RECORDER'S FEE. — 1. The county recorder of deeds may refuse any document presented for recording that does not meet the following requirements:

(1) The document shall consist of one or more individual pages printed only on one side and not permanently bound nor in a continuous form. The document shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements, provided that a document may be stapled together for presentation for recording; a label that is firmly attached with a bar code or return address may be accepted for recording;

(2) The size of print or type shall not be smaller than eight-point type and shall be in black or dark ink. Should any document presented for recording contain type smaller than eight-point type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(3) The document must be of sufficient legibility to produce a clear and legible reproduction thereof. Should any document not be of sufficient legibility to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(4) The document shall be on white ~~paper~~ or light-colored **paper** of not less than twenty-pound weight without watermarks or other visible inclusions, except for plats and surveys, which may be on materials such as Mylar or velum. All text within the document shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable;

(5) All signatures on a document shall be in black or dark ink, such that such signatures shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable, and shall have the corresponding name typed, printed or stamped underneath said signature. The typing or printing of any name or the applying of an embossed or inked stamp shall not cover or otherwise materially interfere with any part of the document except where provided for by law;

(6) The documents shall have a top margin of at least three inches of vertical space from left to right, to be reserved for the recorder of deeds' certification and use. All other margins on the document shall be a minimum of three-fourths of one inch on all sides. Nonessential information such as form numbers, page numbers or customer notations may be placed in the margin. A document may be recorded if a minor portion of a seal or incidental writing extends beyond the margins. The recorder of deeds will not incur any liability for not showing any seal or information that extends beyond the margins of the permanent archival record.

2. Every document containing any of the items listed in this subsection that is presented for recording, except plats and surveys, shall have such information on the first page below the three-inch horizontal margin:

- (1) The title of the document;
- (2) The date of the document;
- (3) All grantors' names **and marital status**;
- (4) All grantees' names;
- (5) Any statutory addresses;
- (6) The legal description of the property; and
- (7) Reference book and pages for statutory requirements, if applicable.

If there is not sufficient room on the first page for all of the information required by this subsection, the page reference within the document where the information is set out shall be stated on the first page.

3. From January 1, 2002, documents which do not meet the requirements set forth in this section may be recorded for an additional fee of twenty-five dollars, which shall be deposited in the recorders' fund established pursuant to subsection 1 of section 59.319.

4. Documents which are exempt from format requirements and which the recorder of deeds may record include the following:

- (1) Documents which were signed prior to January 1, 2002;
- (2) Military separation papers;
- (3) Documents executed outside the United States;
- (4) Certified copies of documents, including birth and death certificates;
- (5) Any document where one of the original parties is deceased or otherwise incapacitated; and
- (6) Judgments or other documents formatted to meet court requirements.

5. Any document rejected by a recorder of deeds shall be returned to the preparer or presenter accompanied by an explanation of the reason it could not be recorded.

6. Recorders of deeds shall be allowed fees for their services as follows:

(1) For recording every deed or instrument: five dollars for the first page and three dollars for each page thereafter except for plats and surveys;

(2) For copying or reproducing any recorded instrument, except surveys and plats: a fee not to exceed two dollars for the first page and one dollar for each page thereafter;

(3) For every certificate and seal, except when recording an instrument: one dollar;

(4) For recording a plat or survey of a subdivision, outlets or condominiums: twenty-five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. For recording a survey of one or more tracts: five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. Any plat or survey larger than eighteen inches by twenty-four inches shall be counted as an additional sheet for each additional eighteen inches by twenty-four inches, or fraction thereof, plus five dollars per page of other material;

(5) For copying a plat or survey of one or more tracts: a fee not to exceed five dollars for each sheet of drawings and calculations not larger than twenty-four inches in width and eighteen inches in height and one dollar for each page of other material;

(6) For a document which releases or assigns more than one item: five dollars for each item beyond one released or assigned in addition to any other charges which may apply;

(7) For every certified copy of a marriage license or application for a marriage license: two dollars;

(8) For duplicate copies of the records in a medium other than paper, the recorder of deeds shall set a reasonable fee not to exceed the costs associated with document search and duplication; and

(9) For all other use of equipment, personnel services and office facilities, the recorder of deeds may set a reasonable fee.

67.457. ESTABLISHMENT OF NEIGHBORHOOD IMPROVEMENT DISTRICTS — PROCEDURE — NOTICE OF ELECTIONS, CONTENTS — ALTERNATIVES, PETITION, CONTENTS — MAINTENANCE COSTS, ASSESSMENT — RECORDING REQUIREMENTS. — 1. To establish a neighborhood improvement district, the governing body of any city or county shall comply with either of the procedures described in subsection 2 or 3 of this section.

2. The governing body of any city or county proposing to create a neighborhood improvement district may by resolution submit the question of creating such district to all qualified voters residing within such district at a general or special election called for that purpose. Such resolution shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district

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to be assessed, and the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full. The governing body of the city or county may create a neighborhood improvement district when the question of creating such district has been approved by the vote of the percentage of electors within such district voting thereon that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county under Article VI, Section 26 of the constitution of this state. The notice of election containing the question of creating a neighborhood improvement district shall contain the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and a statement that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such notice, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such notice, by more than twenty-five percent. The ballot upon which the question of creating a neighborhood improvement district is submitted to the qualified voters residing within the proposed district shall contain a question in substantially the following form:

Shall _____ (name of city or county) be authorized to create a neighborhood improvement district proposed for the _____ (project name for the proposed improvement) and incur indebtedness and issue general obligation bonds to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed by the governing body of the _____ (city or county) on the real property benefitted by such improvements for a period of _____ years, and, if included in the resolution, an assessment in each year thereafter with the proceeds thereof used solely for maintenance of the improvement?

3. As an alternative to the procedure described in subsection 2 of this section, the governing body of a city or county may create a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within such proposed district. Each owner of record of real property located in the proposed district is allowed one signature. Any person, corporation, or limited liability partnership owning more than one parcel of land located in such proposed district shall be allowed only one signature on such petition. The petition, in order to become effective, shall be filed with the city clerk or county clerk. A proper petition for the creation of a neighborhood improvement district shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full, a notice that the names of the signers may not be withdrawn later than seven days after the petition is filed with the city clerk or county clerk, and a notice that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such petition, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such petition, by more than twenty-five percent.

4. Upon receiving the requisite voter approval at an election or upon the filing of a proper petition with the city clerk or county clerk, the governing body may by resolution or ordinance determine the advisability of the improvement and may order that the district be established and that preliminary plans and specifications for the improvement be made. Such resolution or ordinance shall state and make findings as to the project name for the proposed improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of the neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and shall also state that the final cost of such improvement assessed against the real property within the neighborhood improvement district and the amount of general obligation bonds issued therefor shall not, without a new election or petition, exceed the estimated cost of such improvement by more than twenty-five percent.

5. The boundaries of the proposed district shall be described by metes and bounds, streets or other sufficiently specific description. The area of the neighborhood improvement district finally determined by the governing body of the city or county to be assessed may be less than, but shall not exceed, the total area comprising such district.

6. In any neighborhood improvement district organized prior to August 28, 1994, an assessment may be levied and collected after the original period approved for assessment of property within the district has expired, with the proceeds thereof used solely for maintenance of the improvement, if the residents of the neighborhood improvement district either vote to assess real property within the district for the maintenance costs in the manner prescribed in subsection 2 of this section or if the owners of two-thirds of the area of all real property located within the district sign a petition for such purpose in the same manner as prescribed in subsection 3 of this section.

7. Prior to any assessment hereafter being levied against any real property within any neighborhood improvement district, and prior to any lien enforceable under either chapter 140 or 141 being imposed after August 28, 2013, against any real property within a neighborhood improvement district, the clerk of the governing body establishing the neighborhood improvement district shall cause to be recorded with the recorder of deeds for the county in which any portion of the neighborhood improvement district is located a document conforming to the provisions of sections 59.310 and 59.313, and which shall contain at least the following information:

(1) Each and all owners of record of real property located within the neighborhood improvement district at the time of recording, who shall be identified in the document as grantors and indexed by the recorder, as required under and pursuant to section 59.440;

(2) The governing body establishing the neighborhood improvement district and the title of any official or agency responsible for collecting or enforcing any assessments, who shall be identified in the document as grantees and so indexed by the recorder, as required under and pursuant to section 59.440;

(3) The legal description of the property within the neighborhood improvement district which may either be the metes and bounds description authorized in subsection 5 of this section or the legal description of each lot or parcel within the neighborhood improvement district; and

(4) The identifying number of the resolution or ordinance creating the neighborhood improvement district, or a copy of such resolution or ordinance.

8. **(1) The governing body of the city or county establishing a neighborhood improvement district shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue:**

(a) A description of the boundaries of such district as well as the average assessment made against real property located in such district;

(b) Any amendments made to the boundaries of a district; and

(c) The date on which a neighborhood improvement district is dissolved.

(2) The governing body of the city or county establishing a neighborhood improvement district on or after August 28, 2022, shall not order any assessment to be made on any real property located within a district until such governing body has submitted the information required by paragraph (a) of subdivision (1) of this subsection.

67.461. ASSESSMENTS, PLANS, SPECIFICATIONS — PUBLIC FILING — DUTIES OF CLERK — NOTICE. — 1. After the governing body has made the findings specified in section 67.457 and plans and specifications for the proposed improvements have been prepared, the governing body shall by ordinance or resolution order assessments to be made against each parcel of real property deemed to be benefitted by an improvement based on the revised estimated cost of the improvement or, if available, the final cost thereof, and shall order a proposed assessment roll to be prepared.

2. The plans and specifications for the improvement and the proposed assessment roll shall be filed with the city clerk or county clerk, as applicable, and shall be open for public inspection. Such clerk shall thereupon, at the direction of the governing body, publish notice that the governing body will conduct a hearing to consider the proposed improvement and proposed assessments. Such notice shall be published in a newspaper of general circulation at least once not more than twenty days and not less than ten days before the hearing and shall state the project name for the improvement, the date, time and place of such hearing, the general nature of the improvement, the revised estimated cost or, if available, the final cost of the improvement, the boundaries of the neighborhood improvement district to be assessed, and that written or oral objections will be considered at the hearing. **Such notice shall also be sent to the Missouri department of revenue, which shall publish such notice on its website.** At the same time, the clerk shall mail to the owners of record of the real property made liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the real property so owned and assessed. The failure of any owner to receive such notice shall not invalidate the proceedings.

67.1421. PUBLIC HEARING TO ESTABLISH — PETITION, REQUIREMENTS — CLERK'S DUTIES — AMENDED PETITION — CLERK TO REPORT. — 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, each improvement it will make from the list of allowable improvements under section 67.1461, an estimate of the costs of these services and improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to pay the costs;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter in bold-face type is proposed language.

- (f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;
- (g) If the district is to be a political subdivision, the number of directors to serve on the board;
- (h) The total assessed value of all real property within the proposed district;
- (i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;
- (j) The proposed length of time for the existence of the district, which in the case of districts established after August 28, 2021, shall not exceed twenty-seven years from the adoption of the ordinance establishing the district unless the municipality extends the length of time under section 67.1481;
- (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;
- (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;
- (m) The limitations, if any, on the borrowing capacity of the district;
- (n) The limitations, if any, on the revenue generation of the district;
- (o) Other limitations, if any, on the powers of the district;
- (p) A request that the district be established; and
- (q) Any other items the petitioners deem appropriate;
- (4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: _____

Owner's telephone number and mailing address: _____

If signer is different from owner:

Name of signer: _____

State basis of legal authority to sign: _____

Signer's telephone number and mailing address: _____

If the owner is an individual, state if owner is single or married: _____

If owner is not an individual, state what type of entity: _____

Map and parcel number and assessed value of each tract of real property within the proposed district owned: _____

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above

Signature of person signing for owner	Date
--	------

STATE OF MISSOURI)

) ss.

COUNTY OF _____)

Before me personally appeared _____, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this _____ day of _____ (month), _____ (year).

Notary Public

My Commission Expires: _____ ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district. **Such notice shall also be sent to the Missouri department of revenue, which shall publish such notice on its website;**

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development and the state auditor.

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Matter in bold-face type is proposed language.

7. (1) The governing body of the municipality or county establishing a district or the governing body of such district shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue:

(a) A description of the boundaries of such district as well as the rate of property tax or sales tax levied in such district;

(b) Any amendments made to the boundaries of a district or the tax rates levied in such district; and

(c) The date on which the district is to expire unless sooner terminated.

(2) The governing body of a community improvement district established on or after August 28, 2022, shall not order any assessment to be made on any real property located within a district and shall not levy any property or sales tax until the information required by paragraph (a) of subdivision (1) of this subsection has been submitted.

67.1431. PUBLIC HEARING, NOTICE. — 1. Within a reasonable time, not to exceed forty-five days, after the receipt of the verified petition from the municipal clerk, the governing body shall hold or cause to be held a public hearing on the establishment of the proposed district and shall give notice of the public hearing in the manner provided in subsection 3 of this section. All reasonable protests, objections and endorsements shall be heard at the public hearing.

2. The public hearing may be continued to another date without further notice other than a motion to be entered on the minutes fixing the date, time and place of the continuance of the public hearing, **as well as providing such information to the Missouri department of revenue, which shall publish such information on its website.**

3. Notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication in a newspaper of general circulation within the municipality once a week for two consecutive weeks prior to the week of the public hearing, **as well as by notice provided to the Missouri department of revenue, which shall publish such information on its website.** Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the notice via registered or certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district. The published and mailed notices shall include the following:

(1) The date, time and place of the public hearing;

(2) A statement that a petition for the establishment of a district has been filed with the municipal clerk;

(3) The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists; and a map illustrating the proposed boundaries;

(4) A statement that a copy of the petition is available for review at the office of the municipal clerk during regular business hours; and

(5) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

67.1471. FISCAL YEAR — BUDGET — MEETING — REPORT — AUDIT. — 1. The fiscal year for the district shall be the same as the fiscal year of the municipality.

2. No earlier than one hundred eighty days and no later than ninety days prior to the first day of each fiscal year, the board shall submit to the **Missouri department of revenue, the state auditor, and the governing body of the city** a proposed annual budget, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal year. The governing body may review and comment to the board on this proposed budget, but if such comments are given, the governing body of the municipality shall provide such written comments to the board no later than sixty days prior to the

first day of the relevant fiscal year; such comments shall not constitute requirements but shall only be recommendations.

3. The board shall hold an annual meeting and adopt an annual budget no later than thirty days prior to the first day of each fiscal year.

4. Within one hundred twenty days after the end of each fiscal year, the district shall submit a report to the municipal clerk, **the Missouri department of revenue, the state auditor,** and the Missouri department of economic development. The report shall state the services provided, revenues collected, and expenditures made by the district during such fiscal year; state the dates the district adopted its annual budget, submitted its proposed annual budget to the municipality, and submitted its annual report to the municipal clerk; and include copies of written resolutions approved by the board during the fiscal year. The municipal clerk shall retain this report as part of the official records of the municipality and shall also cause this report to be spread upon the records of the governing body.

5. The state auditor may audit a district in the same manner as the auditor may audit any agency of the state.

67.2300. HOMELESSNESS, USE OF STATE FUNDS, WHEN — STATE-OWNED LANDS NOT TO BE USED FOR UNAUTHORIZED SLEEPING, CAMPING, OR SHELTERS — NO STATE FUNDING, WHEN — RULES. — 1. As used in this section, the following terms mean:

(1) "Department", any department authorized to allocate funds raised by the state or federal funds received by the state for housing or homelessness;

(2) "State funds", any funds raised by the state and federal funds received by the state for housing or homelessness, but shall not include any federal funds not able to be used for housing programs pursuant to this section due to federal statutory or regulatory restrictions.

2. State funds for the homeless shall be used for the following:

(1) For parking areas, each area shall provide:

(a) Access to potable water and electric outlets; and

(b) Access to bathrooms sufficient to serve all of the parking areas;

(2) For camping facilities, individuals experiencing homelessness may camp and store personal property at such facilities, which shall be subject to the following:

(a) Individuals shall only camp and store personal property at such facilities in the areas designated to each individual by the agency providing the camping facilities; and

(b) Facilities shall provide a mental health and substance use evaluation as designated by a state or local agency and individuals may complete such evaluation;

(3) For individual shelters, which shall be subject to the following:

(a) Be suitable to house between one and three individuals;

(b) Provide basic sleeping accommodations and access to electricity;

(c) Provide adequate access to showers and bathroom facilities; and

(d) Be limited to occupation by each individual for a period of not more than two years;

(4) For congregate shelters housing more than four homeless individuals in one space, state funds shall be available only to the extent the shelter monitors and provides programs to improve the employment, income, and prevention of return to homelessness of individuals leaving those shelters. The department shall provide performance payments of up to ten percent for such programs that meet guidelines as established by the department.

Individuals utilizing such facilities pursuant to this subsection shall be entered into a homelessness management information system maintained by the local continuum of care.

3. A private campground owner or an employee or officer of a private campground operating such facility pursuant to this section shall be subject to the provisions of section 537.328.

4. (1) State funds otherwise used for the construction of permanent housing for the homeless shall be used to assist such individuals with substance use, mental health treatment, and other services, including short-term housing. The department shall provide up to twenty-five percent of the base allocation of such funds as performance payments to political subdivisions or not-for-profit organizations providing such services as rewards for meeting predetermined goals on reductions of:

- (a) Days unhoused;
- (b) Days in jail or prison; and
- (c) Days hospitalized, with the weights of such days to be determined by the department.

(2) Political subdivisions and not-for-profit organizations may use state grants otherwise used for permanent housing to conduct surveys to identify individuals with the greatest number of days unhoused, in jail or prison, or hospitalized but these expenses shall not exceed ten percent of the total grant amount.

5. No person shall be permitted to use state-owned lands for unauthorized sleeping, camping, or the construction of long-term shelters. Any violation of this subsection shall be a class C misdemeanor; however, for the first offense such individual shall be given a warning, and no citation shall be issued unless that individual refuses to move to any offered services or shelter.

6. (1) A political subdivision shall not adopt or enforce any policy under which the political subdivision prohibits or discourages the enforcement of any order or ordinance prohibiting public camping, sleeping, or obstructions of sidewalks.

(2) In compliance with subsection 5 of this section, a political subdivision shall not prohibit or discourage a peace officer or prosecuting attorney who is employed by or otherwise under the direction or control of the political subdivision from enforcing any order or ordinance prohibiting public camping, sleeping, or obstructions of sidewalks.

(3) The provisions of this section shall not prohibit a policy of any political subdivision that encourages diversion programs or offering of services in lieu of a citation or arrest.

(4) The attorney general shall have the power to bring a civil action in any court of competent jurisdiction against any political subdivision to enjoin the political subdivision from violating the provisions of this subsection.

(5) The attorney general may recover reasonable expenses incurred in any civil action brought under this section, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

7. Any political subdivision with a higher per-capita rate of homelessness than the state average, as determined by the most recent United States census numbers for the overall population and the most recent federal Department of Housing and Urban Development homelessness point-in-time continuum of care, as defined by 24 C.F.R. 578.5(a), in which the political subdivision is located, shall, within one year of the passage of this act, receive no further state funding by the department until the department determines:

(1) The political subdivision has a per-capita rate of unsheltered homeless individuals at or below the state average; or

(2) The political subdivision is in compliance with subsection 6 of this act.

8. The department authorized to allocate funds pursuant to this section may promulgate all rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,

then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2023, shall be invalid and void.

9. The provisions of this section, including references to the disbursement of state grants and funds, shall not apply to shelters for victims of domestic violence as defined in section 455.200.

70.631. ADDITION OF PUBLIC SAFETY PERSONNEL MEMBERS TO THE SYSTEM, HOW — REQUIREMENTS AND LIMITATIONS — APPLICABLE ONLY IN CERTAIN COUNTIES. — 1. Each political subdivision may, by majority vote of its governing body, elect to cover emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the system to the board within ten days after such vote. The date in which the political subdivision's election becomes effective shall be the first day of the calendar month specified by such governing body, the first day of the calendar month next following receipt by the board of the certification of the election, or the effective date of the political subdivision's becoming an employer, whichever is the latest date. Such election shall not be changed after the effective date. If the election is made, the coverage provisions shall be applicable to all past and future employment with the employer by present and future employees. If a political subdivision makes no election under this section, no emergency telecommunicator, jailor, or emergency medical service personnel of the political subdivision shall be considered public safety personnel for purposes determining a minimum service retirement age as defined in section 70.600.

2. If an employer elects to cover emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the system, the employer's contributions shall be correspondingly changed effective the same date as the effective date of the political subdivision's election.

3. The limitation on increases in an employer's contributions provided by subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer making an election under the provisions of this section.

~~[4. The provisions of this section shall only apply to counties of the third classification and any county of the first classification with more than seventy thousand but fewer than eighty three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat, and any political subdivisions located, in whole or in part, within such counties.]~~

92.720. UNREDEEMED LANDS, HOW PROCEEDED AGAINST, LISTS — LIMITATION ON ACTIONS. — 1. If any of the lands or town lots contained in the back tax book or list of delinquent lands or lots remain unredeemed on the first day of January, the collector may file suit in the circuit court against such lands or lots to enforce the lien of the state and city as herein provided in sections 92.700 to 92.920.

2. The collector shall note opposite such tract in the back tax book the fact that suit has been commenced.

3. The collector shall compile lists of all state, city, school and other tax bills collectible by him which are delinquent according to his records and he shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the city on any delinquent tax bill included in any list, the collector shall give the court docket number of each suit.

4. The sheriff may appoint the collector and the collector's deputies as deputy sheriffs, and when so appointed they may serve all process in matters pertaining to sections 92.700 to 92.920 with like effect as the sheriff himself might do.

5. No action for recovery of taxes against real estate shall be commenced, had or maintained, unless action therefor shall be commenced within five years after delinquency.

6. For any improved parcel identified by a city operating under sections 92.700 to 92.920 as being vacant, the collector shall, within no more than two years after delinquency, file suit in the circuit court against such lands or lots to enforce the lien of the state and the city as provided in sections 92.700 to 92.920. Failure of the collector to bring suit within the time frame prescribed herein shall not constitute a defense or bar an action for the collection of taxes as otherwise provided by this section.

92.740. PETITION, FORM, CONTENTS. — 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk and with the land reutilization authority a petition, which petition shall contain a caption, a copy of the list prepared by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of _____ Missouri,
In the Matter of
Foreclosure of Liens for Delinquent Land Taxes
By Action in Rem.
Collector of Revenue of _____, Missouri, Plaintiff
-vs-
Parcels of Land Encumbered with Delinquent Tax Liens, Defendants

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 92.700 to 92.920 and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under the provisions of sections 92.700 to 92.920.

4. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

5. For each petition filed, the collector shall make available to the public a list detailing each parcel included in the suit.

92.750. REDEMPTION BY INTERESTED PARTY, CERTIFICATE — FORECLOSURE SALE, EFFECT OF. — 1. **Except as otherwise provided in subsection 4 of this section,** any person having any right, title, or interest in, or lien upon, any parcel of real estate described in such petition may redeem such parcel of real estate by paying to the collector all of the sums mentioned therein, including principal, interest, penalties, attorney's fees and costs then due, at any time prior to the time of the foreclosure sale of such real estate by the sheriff.

2. In the event of failure to redeem prior to the time of the foreclosure sale by the sheriff, such person shall be barred and forever foreclosed of all his right, title and interest in and to the parcels of real estate described in such petition.

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Matter in bold-face type is proposed language.

3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a certificate of redemption from the collector describing the property in the same manner as it is described in such petition, and the collector shall thereupon note on his records the word "redeemed" and the date of such payment opposite the description of such parcel of real estate.

4. **For any improved nonhomestead parcel, any person having any right, title, or interest in, or lien upon, any parcel of real estate described in the petition may redeem such parcel of real estate at any time prior to the time of the foreclosure sale of such real estate by the sheriff by paying to the collector all of the sums due as of the date of redemption mentioned therein, including principal, interest, penalties, attorney's fees, and costs then due including, but not limited to, all debts owed to the city, exclusive of any debts owed to any statutorily created sewer district, that are known to the collector and that may be collected pursuant to section 67.451, such as amounts for water, forestry, nuisance abatement, special tax bills, and vacant building assessments.**

92.760. NOTICE OF FILING, HOW MADE, FORM OF. — 1. The collector shall also cause to be prepared and mailed in an envelope with postage prepaid, within thirty days after the filing of such petition, a brief notice of the filing of the suit, to the persons named in the petition as ~~being the owners~~ **having an interest in the parcel**, according to the records of the assessor, **or otherwise known to the collector**, for the respective parcels of real estate described in the petition. The notices shall be sent to the addresses ~~of such persons upon the records of the assessor~~ **most likely to apprise the parties of the proceedings as provided**, and in the event that any name or address does not appear on the records of the assessor, with respect to any parcel of real estate, the collector shall so state in an affidavit, giving the serial number of each parcel of real estate affected. Such affidavit shall be filed in the suit with the circuit clerk not later than sixty days after the date of the first publication of the notice of foreclosure. The failure of the collector to mail the notice as provided in this section shall invalidate any proceedings brought pursuant to the provisions of sections 92.700 to 92.920. The failure of the collector to file the affidavit as provided in this section shall not affect the validity of any proceedings brought pursuant to the provisions of sections 92.700 to 92.920.

2. Such notice shall be substantially as follows:

To the person to whom this notice is addressed:

According to ~~the~~ **available** records ~~in the assessor's office~~, you ~~are the record owner as to~~ **have a legal interest in** one or more parcels of real estate described in a certain petition bearing cause No. _____ (fill in number of case) filed in the Circuit Court of _____, Missouri, at _____ (fill in city), on _____, 20____, wherein a foreclosure of the lien of various delinquent tax bills is sought and a court order asked for the purpose of selling such real estate at a public sale for payment of all delinquent tax bills, together with interest, penalties, attorney's fees and costs. Publication of notice of such foreclosure was commenced on the _____ day of _____, 20____, in _____ (here insert name of city), Missouri.

THE COLLECTOR OF THE CITY OF _____ (Insert name of city) HAS FILED A LAWSUIT AGAINST YOUR PROPERTY. THE LAWSUIT SAYS THAT YOU ARE BEHIND ON YOUR PROPERTY TAXES. YOU COULD LOSE YOUR PROPERTY IF YOU DON'T DO ANYTHING ABOUT THIS.

YOU HAVE A RIGHT TO ENTER INTO AN AGREEMENT WITH THE COLLECTOR TO BRING YOUR TAXES UP TO DATE. YOU MAY CONTACT THE

COLLECTOR BY CALLING _____ (Insert telephone number of collector). IF YOU DO NOT UNDERSTAND THIS NOTICE, OR YOU DO NOT KNOW WHAT TO DO, YOU MAY CALL THIS OFFICE FOR FURTHER EXPLANATION OR SEE A LAWYER RIGHT AWAY.

Unless all delinquent taxes be paid upon the parcels of real estate described in such petition and such real estate redeemed prior to the time of the foreclosure sale of such real estate by the sheriff, the owner or any person claiming any right, title or interest in or to, or lien upon, any such parcels of real estate shall be forever barred and foreclosed of all right, title and interest and equity of redemption in and to such parcels of real estate; except that any such persons shall have the right to file an answer in said suit on or before the _____ day of _____, 20_____, in the office of the Circuit Clerk and a copy thereof to the Collector, setting forth in detail the nature and amount of the interest and any defense or objection to the foreclosure. Dated _____

Collector of Revenue
_____, Missouri
(Name of City)
Address _____

92.765. RECORDS OF ACTIONS TAKEN, WHERE FILED. — Affidavits of publication of notice of foreclosure, and of posting, mailing, or other acts required by the provisions of sections 92.700 to 92.920 shall be filed in the office of the circuit clerk prior to the trial, and when so filed shall constitute part of the evidentiary documents in the foreclosure suit. Such affidavits shall be prima facie evidence of the performance of acts therein described, and may be so used in the trial of the suit, unless challenged by verified answer duly filed in the suit. **The collector shall file with the court an affidavit of compliance with notice requirements of sections 92.700 to 92.920 prior to any sheriff's sale. The affidavit shall include the identities of all parties to whom notice was attempted and by what means. In the case of mailed notice returned undeliverable, the collector's affidavit shall certify that additional notice was attempted and by what means. The expense of complying with this section shall be taxed and collected as other costs in the suit.**

92.770. ATTORNEYS, EMPLOYMENT AUTHORIZED, COMPENSATION. — 1. The collector may employ such attorneys as he deems necessary to collect such taxes and to prosecute suits for taxes.

2. Such attorneys shall receive as total compensation a sum, not to exceed six percent of the amount of taxes actually collected and paid into the treasury, and an additional sum not to exceed two dollars for each suit filed when publication is not necessary and not to exceed five dollars where publication is necessary, as may be agreed upon in writing and approved by the collector, before such services are rendered.

3. The ~~attorney~~ **attorney's** fees shall be taxed as costs in the suit and collected as other costs.

92.775. TRIAL, EVIDENCE, JUDGMENT — SEVERANCES — JURY NOT AUTHORIZED — PRECEDENCE OF ACTION. — 1. Upon the trial of the cause upon the question of foreclosure, the tax bill shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as provided in sections 92.700 to 92.920. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff. **The receipt of such surplus funds shall constitute a bar to any claim of right, title, or interest in, or lien upon, said parcel of real estate, by the fund recipient.**

3. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

92.810. WAITING PERIOD AFTER FINAL JUDGMENT — NOTICE OF SALE TO OWNERS, FORM OF — FAILURE TO REDEEM, TRANSFER, PURPOSE, REIMBURSEMENT. — 1. After the judgment of foreclosure has been entered, or, after a motion for a new trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, there shall be a waiting period of six months before any advertisement of sheriff's sale shall be published.

2. If any such parcel of real estate be not redeemed, or if no written contract providing for redemption be made within six months after the date of the judgment of foreclosure, if no motion for rehearing be filed, and, if filed, within six months after such motion may have been overruled, or, if an

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appeal be taken from such judgment and the judgment be affirmed, within six months after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall, after giving the ~~[notice]~~ **notices** required by ~~[subsection 3]~~ **subsections 4 and 5** of this section, commence to advertise the real estate described in the judgment and shall fix the date of sale within thirty days after the date of the first publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the real estate.

3. No later than one hundred twenty days prior to the sheriff's sale, the collector shall obtain a title abstract or report on any unredeemed parcels. Such title abstract or report shall be obtained from a licensed title company or attorney and subject to a public and competitive bidding process administered by the collector and conducted triennially. The title report shall include all conveyances, liens, and charges against the real estate, and the names and mailing addresses of any interested parties and lienholders. The charges of said abstract or report shall be taxed as costs and shall be paid as other costs in the case.

4. No later than twenty days prior to the sheriff's sale, the collector shall send notice of the sale to the lienholders and interested parties, as disclosed upon the title abstract or report of the real estate for which tax bills thereon are delinquent. The notice shall provide the date, time, and place of the sale. The notice shall also state that the parcel may be redeemed prior to the sale as specified in section 92.750 or by entering into an agreement with the collector to pay the taxes included in the foreclosure suit under section 92.740. The notice required by this subsection shall be mailed in an envelope with postage prepaid. The cost of the mailing and notice as required by this subsection shall be included as costs in the case.

5. No later than ~~twenty~~ **forty** days prior to the sheriff's sale, the ~~[sheriff]~~ **collector** shall send notice of the sale to the ~~[owner or owners,]~~ **parties having interest in the parcel** as disclosed upon the records of the assessor, **or otherwise known to the collector**, of the real estate for which tax bills thereon are delinquent. ~~[The search of the records of the assessor must be made not more than forty days prior to the sending of this notice]~~ **The notice shall be sent to the addresses most likely to apprise the parties of the proceedings as provided.** The notice shall provide the date, time and place of the sale. The notice shall also state that ~~[the property owner]~~ **an interested party** may avoid the sale by redeeming such parcel of real estate prior to the sale as specified in section 92.750 or, **if applicable**, by entering into an agreement with the collector to pay the taxes included in the foreclosure suit under section 92.740. The notice required by this subsection shall be mailed in an envelope with postage prepaid. The cost of ~~[the title search,]~~ mailing and notice as required by this subsection shall be included as costs ~~[at the sale of the real estate]~~ **in the case.**

6. No later than twenty days prior to the sheriff's sale, the sheriff shall enter upon the parcel subject to foreclosure of these tax liens and post a written informational notice in a conspicuous location, attached to a structure, and intended to be visible by the nearest public right-of-way. This notice shall describe the property; shall advise that it is the subject of delinquent land tax collection proceedings brought pursuant to sections 92.700 to 92.920 and that it may be sold for the payment of delinquent taxes at a sale to be held at a certain time, date, and place; and shall contain the serial number and the phone number and address of the collector, as well as a statement of the prohibition against removal unless the parcel has been redeemed. The notice shall be not less than eight inches by ten inches and shall be laminated or otherwise sufficiently weatherproof to withstand normal exposure to rain, snow, and other conditions. The sheriff shall document, by time-stamped photograph, compliance with this section, make said documentation generally available upon request, and provide verification by affidavit of compliance with this section. The cost of notice as required by this subsection shall be included as costs in the case.

7. In addition to the other notice requirements of this section, no later than twenty days prior to the sheriff's sale, the sheriff shall attempt in-person notice that shall describe the property; that

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shall advise that it is the subject of delinquent land tax collection proceedings brought pursuant to sections 92.700 to 92.920 and that it may be sold for the payment of delinquent taxes at a sale to be held at a certain time, date, and place; and that shall contain the serial number and phone number and address of the collector. In-person notice may be provided to any person found at the property. The sheriff shall note the date and time of attempted notice and the name, description, or other identifying information regarding the person to whom notice was attempted. The sheriff shall document compliance with this section, make said documentation generally available upon request, and provide verification by affidavit of compliance with this section. The cost of notice as required by this subsection shall be included as costs in the case.

[4.] 8. Notwithstanding the provisions of this section to the contrary, any residential property which has not been redeemed by the end of the waiting period required by this section which has been determined to be of substandard quality or condition under the standards established by the residential renovation loan commission pursuant to sections 67.970 to 67.983 may, upon the request of the residential renovation loan commission, be transferred to the residential renovation loan commission for the purpose of renovation of the property. Any such property transferred pursuant to this subsection shall be renovated and sold by the residential renovation loan commission in the manner prescribed in sections 67.970 to 67.983. The residential renovation loan commission shall reimburse the land reutilization authority for all expenses directly incurred in relation to such property under sections 92.700 to 92.920 prior to the transfer.

92.815. REDEMPTION CONTRACTS, INSTALLMENT PAYMENTS. — 1. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by sections 92.700 to 92.920; except that during such time and at any time prior to the time of foreclosure sale by the sheriff, the collector shall enter into a written redemption contract with the owner of any real estate occupied as a homestead and who has not previously defaulted upon any such written redemption contract, provided that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with a total assessed valuation of not more than five thousand dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made. **The collector shall not enter into a redemption contract with respect to any improved parcel not occupied as a homestead.**

2. So long as such installments be paid according to the terms of the contract, the six months' waiting period shall be extended, but if any installment be not paid when due, the extension of the waiting period shall be ended and the real estate shall immediately be advertised for sale or included in the next notice of sheriff's foreclosure sale. Notice shall also be sent to the redemption contract ~~[payer]~~ payer as specified in subsection [3] 4 of section 92.810.

3. On an annual basis, the collector shall make publicly available the number of parcels under redemption contract under this section.

92.817. FORECLOSURE SALE STAYED, WHEN — PROCEDURE. — 1. The court shall stay the sale of any parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, which is the subject of an action filed under sections 447.620 to 447.640, provided that the party that has brought such an action has, upon an order of the court, paid into the circuit court the principal amount of all land taxes then due and owing under the tax foreclosure

judgment, exclusive of penalties and interest, prior to the date of any proposed sale under execution.

2. Upon the granting by the court of temporary possession of any property under section 447.632, upon order, the circuit court shall direct payment to the collector of all principal land taxes theretofore paid to the circuit court. In addition, in any order granting a final judgment or deed under section 447.625 or 447.640, the court shall also order the permanent extinguishment of penalties and interest arising from actions to collect delinquent land taxes due on the parcel against the grantee of said deed, and all successors in interest; excepting however, any defendant in such action.

3. If an owner of the parcel moves the court for restoration of possession under section 447.638, the owner shall pay into the circuit court all land tax amounts currently due and owing on the property, including all statutory penalties, interest, attorney's fees, and court costs retroactive to the date of accrual. Upon an order granting the restoration of possession to an owner under section 447.638, the court shall order that the funds paid to the court under subsection 2 of this section be returned to the payer, and that the funds paid to the court under this subsection be paid out to the collector.

4. If the party that brought the action under sections 447.620 to 447.640 dismisses its action prior to gaining temporary possession of the property, it shall recover any amounts paid into the circuit court prior to that date for principal land taxes.

92.825. SALE, HOW CONDUCTED — INTEREST CONVEYED — COSTS, HOW ADVANCED — PURCHASE PRICE, PAYABLE WHEN, AMOUNT. — 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 92.700 to 92.920, and provided that such sale need not occur during the term of court or while the court is in session.

2. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject only to the tax lien thereon, if any, of the United States of America.

3. The collector shall advance from current tax collections the sums necessary to pay for the publication of all advertisements required by the provisions of sections 92.700 to 92.920 and shall be allowed credit therefor in his accounts with the taxing authorities on a pro rata basis. He shall give credit in such accounts for all such advances recovered by him. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

4. **No person shall be eligible to bid at the time of the sheriff's sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the collector or sheriff that the person is not the owner of any parcel of real estate in the city that is subject to delinquent property taxes, unpaid special tax bills, or vacant building fees. A prospective bidder shall be prohibited from participating in the delinquent land tax sale if he or she has previously bid at a sheriff's sale and failed to pay bid amounts, confirm the sale, or sign a sheriff's deed. The collector or sheriff may require prospective bidders to submit an affidavit attesting to the requirements of this section and is expressly authorized to permanently preclude any prospective bidder from participating in the sale for failure to comply with this section. Notwithstanding the provisions of this section, any taxing authority or land reutilization authority shall be eligible to bid at any sale conducted under this section without making such a demonstration.** The purchaser at a sale conducted by the sheriff shall pay cash immediately at the end of bidding of each parcel on the day of the sale in an amount including all taxes **then** due and owing, **which may be in an amount in excess**

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of or less than the judgment amount, and other costs ~~[as otherwise provided by law]~~, exclusive of any amounts for debts owed to any statutorily created sewer district.

92.835. TITLE, HOW HELD BY REUTILIZATION AUTHORITY — TITLE, HOW TAKEN BY OTHERS. — 1. The title to any real estate which shall vest in the land reutilization authority under the provisions of sections 92.700 to 92.920 shall be held by the land reutilization authority of the city in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any tax lien thereon of the United States of America, if any, and all persons, including the state of Missouri, **any taxing authority or tax district as defined herein, judgment creditors, lienholders,** minors, incapacitated and disabled persons, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; ~~provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but].~~ If such parcel of real estate is sold to the land reutilization authority the title thereto shall be free of any ~~[such]~~ liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills ~~[which has attached to the parcel of real estate prior to January 1, 1972, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land reutilization authority].~~

92.840. CONFIRMATION OF SALES, WHEN — PROCEEDS OF SALE, HOW APPLIED — OCCUPANCY PERMIT, DEFINED, WHEN REQUIRED, EFFECT, FAILURE TO OBTAIN, RESULT. — 1. **Within six months** after the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm **or set aside** the foreclosure sale of the real estate, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. Notice of the hearing shall be sent by any interested party, or the court, moving to confirm the foreclosure sale, to each person who ~~[received]~~ **was sent** notice of sale as specified in ~~[subsection 3]~~ **subsections 4 and 5** of section 92.810 **and to any other necessary parties as required by prevailing notions of due process.** At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall immediately determine whether an adequate consideration has been paid for each such parcel. **Any parcel deemed to have been purchased by the land reutilization authority pursuant to section 92.830 shall not require any inquiry as to value. The court's judgment shall include a specific finding that adequate notice was provided to all necessary parties pursuant to prevailing notions of due process and sections 92.700 to 92.920, reciting the notice efforts of the collector, sheriff, and tax sale purchaser. Nothing in this section shall be interpreted to preclude a successful tax sale purchaser from asserting a claim to quiet title to the bid upon parcel pursuant to section 527.150.**

2. For this purpose, the court shall have power to summon any city official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, he shall confirm the sale and order the sheriff to issue a deed with restriction as provided herein to the purchaser subject to the application of an occupancy permit for all parcels as provided in subsection ~~[§]~~ **7** of this section. If the court finds that the consideration paid is inadequate, the purchaser

may increase his bid to such amount as the court may deem to be adequate, whereupon the court may confirm the sale. If, however, the purchaser declines to increase his bid and make such additional payment, then the sale shall be disapproved, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale.

3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all **of the collector and sheriff's** costs including appraiser's fee and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon. If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 92.775. If any answering parties have specially appealed as provided in section 92.845, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as set out in this section and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall be distributed **ten percent to the affordable housing trust fund or equivalent of such city operating under sections 92.700 to 92.920 for purposes that promote the reduction and prevention of vacant properties, with the remainder to be distributed** to the appropriate taxing authorities.

5. **Any city operating under the provisions of sections 92.700 to 92.920, by ordinance, may elect to allocate a portion of its share of the proceeds of the sheriff's sale towards a fund for the purpose of defending against claims challenging the sufficiency of notice provisions under this section.**

6. For the purpose of this section, the term "occupancy permit" shall mean the certificate of ~~use and~~ **inspection or occupancy permit for residential or commercial structures** as provided for in the revised municipal code of any city not within a county, which now has or may hereafter have a population in excess of three hundred thousand inhabitants.

~~[6.]~~ 7. If there is a building or structure on the parcel, the purchaser shall apply for an occupancy permit from the city or appropriate governmental agency within ten days after the confirmation hearing. Any purchaser who is a public corporation acting in a governmental capacity shall not be required to acquire the occupancy permit. When a parcel, acquired at a sheriff sale, containing a building is sold from a public corporation acting in a governmental capacity, the subsequent purchaser shall be required to apply for the occupancy permit. Failure to apply for such occupancy permit within ten days after confirmation shall result in the sale and confirmation being immediately set aside by the motion of any interested party and that parcel shall again be advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff foreclosure sale.

~~[7.]~~ 8. The sheriff shall include a deed restriction in the sheriff's deed, issued after confirmation and after the application of an occupancy permit for any parcel containing a building or structure. The deed restriction shall state that the purchasers at the sheriff's sale who had the property confirmed and who applied for an occupancy permit shall obtain an occupancy permit for the building or structure from the appropriate governmental agency prior to any subsequent transfer or sale of this property. This deed restriction shall **not** exist as a lien against such real estate ~~[while the purchasers hold same in the amount of five thousand dollars]~~. The purchasers of the property at the sheriff sale who had the property

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confirmed and applied for the occupancy permit shall agree that in the event of their failure to obtain an occupancy permit prior to any subsequent transfer of the property, they shall pay to the sheriff the sum of five thousand dollars as fixed, liquidated and ascertained damages without proof of loss or damages. **These damages shall not constitute a lien on property, and** the sheriff shall have the discretionary power to file a lawsuit against such purchaser for collection of these liquidated damages. These liquidated damages shall be distributed on a prorated basis to the appropriate taxing authority after the sheriff deducts all costs, expenses and ~~attorney~~ **attorney's** fees for such lawsuits. The sheriff may employ attorneys as he deems necessary to collect liquidated damages.

9. **If any sale is not confirmed within six months after the sale, any set-aside of the sale may, at the discretion of the court or collector, include a penalty of twenty-five percent of the bid amount over and above the opening bid amount, and such penalty shall be directed to the affordable housing trust fund or the equivalent, if any, of a city operating under sections 92.700 to 92.920.**

10. **Any interested party, other than the sheriff's sale purchaser, who moves the court to set aside a sheriff's sale after the issuance of a sheriff's deed made under the provisions of sections 92.700 to 92.920 shall be required to pay into the court the redemption amount otherwise necessary under section 92.750 prior to the court hearing any such motion to set aside. The court may hear any motion to confirm brought under the terms of this section if the redemption amount is not paid by the interested party moving the court to set aside the sale.**

92.852. RECORDING FEE, SHERIFF'S DEED GIVEN PURSUANT TO MUNICIPAL LAND REUTILIZATION LAW, ASSESSED WHEN — RECORDED, WHEN. — Any sheriff's deed given pursuant to the municipal land reutilization law shall be subject to a recording fee for the costs of recording the deed that shall be assessed and collected from the purchaser of the property at the same time the proceeds from the sale are collected. All such deeds shall be recorded at the office of the recorder of deeds within two months after the ~~sheriff's deed is given~~ **court confirms the sale, if no proceeding to set aside the confirmation judgment is before the court.**

92.855. SHERIFF'S DEED, EFFECT OF. — Each sheriff's deed given pursuant to the provisions of the municipal land reutilization law shall be ~~presumptive~~ **prima facie** evidence that the suit and all proceedings therein and all proceedings prior thereto from and including assessment of the lands affected thereby and all notices required by law were regular and in accordance with all provisions of the law relating thereto. ~~[After two years from the date of the recording of such sheriff's deed, the presumption shall be conclusive, unless at the time that this section takes effect the two year period since the recording of such sheriff's deed has expired, or less than six months of such period of two years remains unexpired, in which latter case the presumption shall become conclusive six months after September 28, 1971. No suit to set aside or to attack the validity of any such sheriff's deed shall be commenced or maintained unless the suit is filed prior to the time that the presumption becomes conclusive, as aforesaid.]~~

99.825. ADOPTION OF ORDINANCE FOR REDEVELOPMENT, PUBLIC HEARING REQUIRED — OBJECTION PROCEDURE — HEARING AND NOTICES NOT REQUIRED, WHEN — RESTRICTIONS ON CERTAIN PROJECTS. — 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and

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other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing, **as well as providing such information to the Missouri department of revenue, which shall publish such information on its website**; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under subsection 3 of section 99.820, the economic activity taxes and payments in lieu of taxes generated by such plan, project, designation, or amendment shall be restricted to paying only those redevelopment project costs contained in subparagraphs b. and c. of paragraph (c) of subdivision (16) of section 99.805 per redevelopment project.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.

4. **(1) The governing body of the municipality establishing a redevelopment area shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue:**

- (a) A description of the boundaries of such redevelopment area;**
- (b) Any amendments made to the boundaries of a redevelopment area;**
- (c) The estimated redevelopment project costs and the estimated date of completion of all redevelopment projects; and**
- (d) The date on which the redevelopment area is dissolved.**

(2) The governing body of the municipality establishing a redevelopment area on or after August 28, 2022, shall not deposit any payments in lieu of taxes or any other taxes into the special

allocation fund until such governing body has submitted the information required by paragraph (a) of subdivision (1) of this subsection.

99.830. NOTICE OF PUBLIC HEARINGS, PUBLICATION AND MAILING REQUIREMENTS, CONTENTS. — 1. Notice of the public hearing required by section 99.825 shall be given by publication and mailing. Notice by publication shall be given by publication at least twice, the first publication to be not more than thirty days and the second publication to be not more than ten days prior to the hearing, in a newspaper of general circulation in the area of the proposed redevelopment. Notice by mailing shall be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the redevelopment project or redevelopment area which is to be subjected to the payment or payments in lieu of taxes and economic activity taxes pursuant to section 99.845. Such notice shall be mailed not less than ten days prior to the date set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property.

2. The notices issued pursuant to this section shall include the following:

- (1) The time and place of the public hearing;
- (2) The general boundaries of the proposed redevelopment area or redevelopment project by street location, where possible;
- (3) A statement that all interested persons shall be given an opportunity to be heard at the public hearing;
- (4) A description of the proposed redevelopment plan or redevelopment project and a location and time where the entire plan or project proposal may be reviewed by any interested party;
- (5) Such other matters as the commission may deem appropriate.

3. Not less than forty-five days prior to the date set for the public hearing, the commission shall give notice by mail as provided in subsection 1 of this section to all taxing districts from which taxable property is included in the redevelopment area, redevelopment project or redevelopment plan, and in addition to the other requirements pursuant to subsection 2 of this section, the notice shall include an invitation to each taxing district to submit comments to the commission concerning the subject matter of the hearing prior to the date of the hearing.

4. A copy of any and all hearing notices required by section 99.825 shall be submitted by the commission to the director of the department of economic development **and to the Missouri department of revenue, which shall publish such notice on its website.** Such submission of the copy of the hearing notice shall comply with the prior notice requirements pursuant to subsection 3 of this section.

99.865. REPORT BY MUNICIPALITIES, CONTENTS, PUBLICATION — SATISFACTORY PROGRESS OF PROJECT, PROCEDURE TO DETERMINE — REPORTS BY DEPARTMENT OF REVENUE REQUIRED, WHEN, CONTENTS, PUBLICATION ON ACCOUNTABILITY PORTAL — RULEMAKING AUTHORITY — DEPARTMENT TO PROVIDE MANUAL, CONTENTS — PENALTY FOR FAILURE TO COMPLY. — 1. No later than November fifteenth of each year, the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project existing as of December thirty-first of the preceding year, and shall submit a copy of such report to the director of the department of revenue. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;

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- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;
- (8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;
- (10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;
- (11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;
- (12) The number of parcels acquired by or through initiation of eminent domain proceedings; and
- (13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section shall be made available to the commissioner of administration, who shall publish such reports on the Missouri accountability portal pursuant to section 37.850. Any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing, **and shall also be sent to the Missouri department of revenue, which shall publish such notice on its website.**

4. The director of the department of revenue shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to subsection 1 of this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536

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including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. The department of revenue shall provide notice of any failure to comply with the reporting requirements provided in subsection 1 of this section to the applicable municipality, specifying any required corrections, by certified mail addressed to the municipality's chief elected officer. If such municipality does not satisfy the reporting requirements for which it previously did not comply, as specified in the notice from the department of revenue, within sixty days of the receipt of the notice, the municipality shall be prohibited from adopting any new tax increment finance plan for a period of five years from the date of the department of revenue's notice. All reports filed pursuant to subsection 1 of this section or in response to a notice from the department of revenue pursuant to this subsection shall be deemed accepted by the department of revenue unless the department of revenue provides the applicable municipality with a written objection thereto, specifying any required corrections, by certified mail addressed to the chief elected officer of the municipality within sixty days of the municipality's submission of such report.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.

105.145. POLITICAL SUBDIVISIONS TO MAKE ANNUAL REPORT OF FINANCIAL TRANSACTIONS TO STATE AUDITOR — STATE AUDITOR TO REPORT VIOLATIONS — COLLECTION OF FINES, EXEMPTION. POLITICAL SUBDIVISIONS TO MAKE ANNUAL REPORT OF FINANCIAL TRANSACTIONS TO STATE AUDITOR — STATE AUDITOR TO REPORT VIOLATIONS — COLLECTION OF FINES, EXEMPTION. — 1. The following definitions shall be applied to the terms used in this section:

(1) "Governing body", the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) "Political subdivision", any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as

the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275.

9. Any political subdivision that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine of five hundred dollars per day.

10. The state auditor shall report any violation of subsection 9 of this section to the department of revenue. Upon notification from the state auditor's office that a political subdivision failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such political subdivision by certified mail that the statement has not been received. Such notice shall clearly set forth the following:

- (1) The name of the political subdivision;
- (2) That the political subdivision shall be subject to a fine of five hundred dollars per day if the political subdivision does not submit a copy of the annual financial statement to the state auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;
- (3) That the fine will be enforced and collected as provided under subsection 11 of this section; and
- (4) That the fine will begin accruing on the thirty-first day from the postmarked date stamped on the certified mail envelope and will continue to accrue until the state auditor's office receives a copy of the financial statement.

In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to the department of revenue within ten business days. Failure of the political subdivision to submit the required annual financial statement within such thirty-day period shall cause the fine to be collected as provided under subsection 11 of this section.

11. The department of revenue may collect the fine authorized under the provisions of subsection 9 of this section by offsetting any sales or use tax distributions due to the political subdivision. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

12. Any ~~transportation development district organized under sections 238.200 to 238.275 having~~ **political subdivision that has** gross revenues of less than five thousand dollars **or that has not levied or collected taxes** in the fiscal year for which the annual financial statement was not timely filed shall not be subject to the fine authorized in this section.

13. **If a failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the political subdivision shall not be subject to a fine authorized under this section if the statement is filed within thirty days of the discovery of the fraud or illegal conduct. If a fine is assessed and paid prior to the filing of the statement, the department of revenue shall refund the fine upon notification from the political subdivision.**

14. **If a political subdivision has an outstanding balance for fines or penalties at the time it files its first annual financial statement after January 1, 2023, the director of revenue shall make**

a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by no less than ninety percent.

15. The director of revenue shall have the authority to make a one-time downward adjustment to any outstanding penalty imposed under this section on a political subdivision if the director determines the fine is uncollectable. The director of revenue may prescribe rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

140.170. COUNTY COLLECTOR TO PUBLISH DELINQUENT LAND LIST — CONTENTS — SITE OF SALE — EXPENSES — PUBLISHER'S AFFIDAVIT TO BE RECORDED — EXCEPTION FOR CERTAIN PROPERTY, CONTENTS OF LIST. — 1. Except for lands described in subsection 7 of this section, the county collector shall cause a copy of the list of delinquent lands and lots to be printed in some newspaper of general circulation published in the county for three consecutive weeks, one insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth Monday in August.

2. In addition to the names of all record owners or the names of all owners appearing on the land tax book it is only necessary in the printed and published list to state in the aggregate the amount of taxes, penalty, interest and cost due thereon, each year separately stated.

3. To the list shall be attached and in like manner printed and published a notice of said lands and lots stating that said land and lots will be sold at public auction to discharge the taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day and continuing from day to day thereafter until all are offered. **Such auction may also be conducted by electronic media, including the internet, at the same time and at the discretion of the county collector.**

4. The county collector, on or before the day of sale, shall insert at the foot of the list on his or her record a copy of the notice and certify on his or her record immediately following the notice the name of the newspaper of the county in which the notice was printed and published and the dates of insertions thereof in the newspaper.

5. The expense of such printing shall be paid out of the county treasury and shall not exceed the rate provided for in chapter 493, relating to legal publications, notices and advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of the costs of the sale of any land or lot contained in the list.

6. The county collector shall cause the affidavit of the printer, editor or publisher of the newspaper in which the list of delinquent lands and notice of sale was published, as provided by section 493.060, with the list and notice attached, to be recorded in the office of the recorder of deeds of the county, and the recorder shall not charge or receive any fees for recording the same.

7. The county collector may have a separate list of such lands, without legal descriptions or the names of the record owners, printed in a newspaper of general circulation published in such county for three consecutive weeks before the sale of such lands for a parcel or lot of land that:

(1) Has an assessed value of one thousand five hundred dollars or less and has been advertised previously; or

(2) Is a lot in a development of twenty or more lots and such lot has an assessed value of one thousand five hundred dollars or less.

The notice shall state that legal descriptions and the names of the record owners of such lands shall be posted at any county courthouse within the county and the office of the county collector.

8. If, in the opinion of the county collector, an adequate legal description of the delinquent land and lots cannot be obtained through researching the documents available through the recorder of deeds, the collector may commission a professional land surveyor to prepare an adequate legal description of the delinquent land and lots in question. The costs of any commissioned land survey deemed necessary by the county collector shall be taxed as part of the costs of the sale of any land or lots contained in the list prepared under this section.

140.190. PERIOD OF SALE — MANNER OF BIDS — PROHIBITED SALES — SALE TO NONRESIDENTS — RESTRICTIONS, CITY OF ST. JOSEPH. — 1. On the day mentioned in the notice, the county collector shall commence the sale of such lands, and shall continue the same from day to day until each parcel assessed or belonging to each person assessed shall be sold as will pay the taxes, interest and charges thereon, or chargeable to such person in said county.

2. The person or land bank agency offering at said sale, **whether in person or by electronic media**, to pay the required sum for a tract shall be considered the purchaser of such land; provided, no sale shall be made to any person or designated agent who is currently delinquent on any tax payments on any property, other than a delinquency on the property being offered for sale, and who does not sign an affidavit stating such at the time of sale. Failure to sign such affidavit as well as signing a false affidavit may invalidate such sale. No bid shall be received from any person not a resident of the state of Missouri or a foreign corporation or entity all deemed nonresidents. A nonresident shall file with said collector an agreement in writing consenting to the jurisdiction of the circuit court of the county in which such sale shall be made, and also filing with such collector an appointment of some citizen of said county as agent of said nonresident, and consenting that service of process on such agent shall give such court jurisdiction to try and determine any suit growing out of or connected with such sale for taxes. After the delinquent auction sale, any certificate of purchase shall be issued to the agent. After meeting the requirements of section 140.405, the property shall be conveyed to the agent on behalf of the nonresident, and the agent shall thereafter convey the property to the nonresident.

3. All such written consents to jurisdiction and selective appointments shall be preserved by the county collector and shall be binding upon any person or corporation claiming under the person consenting to jurisdiction and making the appointment herein referred to; provided further, that in the event of the death, disability or refusal to act of the person appointed as agent of said nonresident the county clerk shall become the appointee as agent of said nonresident.

4. No person residing in any home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants shall be eligible to offer to purchase lands under this section unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that the person is not the owner of any parcel of real property that has two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. This subsection shall not apply to any taxing authority or land bank agency, and entities shall be eligible to bid at any sale conducted under this section without making such a demonstration.

144.051. 2026 FIFA WORLD CUP SOCCER TOURNAMENT, CHARGES FOR ADMISSION NOT SUBJECT TO STATE AND LOCAL SALES TAX. — **Beginning June 1, 2026, and ending July 31, 2026, in addition to the exemptions granted pursuant to the provisions of section 144.030, there is hereby exempted from the provisions of and the computation of the tax levied, assessed or payable pursuant to this chapter and the local sales tax law as defined in section 32.085, and**

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section 238.235, all charges for admissions, as defined in section 144.010, to any of the matches of the 2026 FIFA World Cup soccer tournament which are held in any county with more than seven hundred thousand but fewer than eight hundred thousand inhabitants.

238.212. NOTICE TO PUBLIC, HOW. — 1. If the petition was filed by registered voters or by a governing body, the circuit clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

<p>NOTICE OF PETITION</p> <p>TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING OF A TRANSPORTATION DEVELOPMENT DISTRICT</p> <p>Notice is hereby given to all persons residing or owning property in (here specifically describe the proposed district boundaries), within the state of Missouri, that a petition has been filed asking that upon voter approval, a transportation development district by the name of " _____ Transportation Development District" be formed for the purpose of developing the following transportation project: (here summarize the proposed transportation project or projects). The petition also requests voter approval of the following method(s) of funding the district, which (may) (shall not) increase the total taxes imposed within the proposed district: (describe the proposed funding methods). A copy of this petition is on file and available at the office of the clerk of the circuit court of _____ County, located at _____, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the transportation development district and requesting a declaratory judgment, as required by law, no later than the _____ day of _____, 20_____. You may show cause, if any there be, why such petition is defective or proposed transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary or special election as directed by this court.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Clerk of the Circuit Court of _____ County</p>
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2. The circuit court may also order a public hearing on the question of the creation and funding of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. The circuit court shall order at least one public hearing on the creation and funding of the proposed district, if the petition for creating such district was filed by the owners of record of all real property within the proposed district. If a public hearing is ordered, notice of the time, date and place of the hearing shall also be given in the notice specified in subsection 1 of this section.

3. The notice required by this section shall also be sent to the Missouri department of revenue, which shall publish and maintain such notice on its website.

238.222. POWERS OF BOARD, GENERALLY — OFFICERS, MEETINGS, EXPENSES — QUORUM — NOTIFICATION OF ORGANIZATION TO STATE AUDITOR. — 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors or the selection of the initial directors pursuant to subsection 3 of section 238.220, the board shall meet. The time and place of the first meeting

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of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members or the selection of the initial directors pursuant to subsection 3 of section 238.220, the board shall elect a chairman from its members.

3. The board shall appoint an executive director, district secretary, treasurer and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, shall adopt a corporate seal, and shall notify the state auditor as required in subsection 7 of this section.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for his actual expenditures in the performance of his duties on behalf of the district.

7. Any district which has been previously organized and for which formation was approved prior to August 28, 2016, shall notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors by December 31, 2016. Any district organized and formed after August 28, 2016, shall be required to notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors within thirty days of the date of the first meeting of the board under the provisions of subsection 2 of this section.

8. (1) The governing body of the local transportation authority establishing a district or the governing body of such district shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue:

(a) A description of the boundaries of such district as well as the average assessment made against real property located in such district, the rate of property tax levied in such district, or rate of sales tax levied in such district, as applicable;

(b) Any amendments made to the boundaries of a district or the tax rates levied in such district; and

(c) The date on which the district is to expire unless sooner terminated.

(2) The governing body of a district established on or after August 28, 2022, shall not collect any property or sales taxes until the information required by paragraph (a) of subdivision (1) of this subsection has been submitted.

260.295. REFRIGERANTS, USE OF — BUILDING CODES NOT TO PROHIBIT IF APPROVED FOR USE UNDER FEDERAL LAW. — No building code adopted by a political subdivision shall prohibit the use of refrigerants that are approved for use under the provisions of 42 U.S.C. Section 7671k or the regulations promulgated thereunder, provided any related equipment is installed in accordance with the provisions of 42 U.S.C. Section 7671k or the regulations promulgated thereunder. Any provision of a building code that violates this section shall be null and void.

304.022. EMERGENCY AND STATIONARY VEHICLES — USE OF LIGHTS AND SIRENS — RIGHT-OF-WAY — PROCEDURE — PENALTY. — 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

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2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state **or a county or municipal** park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer, coroner, medical examiner, or forensic investigator of the county medical examiner's office, or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550;

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle; or

(10) Any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving chemical, biological, or radioactive materials or in support of official requests from the state of Missouri involving unknown substances, hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the governor.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

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(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.

442.130. EXECUTION OF DEEDS AND OTHER CONVEYANCES. — 1. All deeds or other conveyances of lands, or of any estate or interest therein, shall be subscribed by the party granting the same, or by his lawful agent, and shall be acknowledged or proved and certified in the manner herein prescribed.

2. All written instruments conveying real estate or any interest in real estate shall state whether any natural person acting as grantors, mortgagors, or other parties executing the instrument are married or unmarried.

473.742. SALARY SCHEDULE FOR PUBLIC ADMINISTRATORS, CERTAIN COUNTIES — ADMINISTRATOR TO CHOOSE SALARY OR FEE COLLECTION — CERTAIN ADMINISTRATORS MAY JOIN LAGERS. — 1. Each public administrator in counties of the second, third or fourth classification and in the city of St. Louis shall make a determination within thirty days after taking office whether such public administrator shall elect to receive a salary as defined herein or receive fees as may be allowed by law to executors, administrators and personal representatives. The election by the public administrator shall be made in writing to the county clerk. Should the public administrator elect to receive a salary, the public administrator's office may not then elect to change at any future time to receive fees in lieu of salary. **Every public administrator who begins his or her first term on or after January 1, 2023, shall be deemed to have elected to receive a salary as provided in this section.**

2. If a public administrator elects to be placed on salary, the salary shall be based upon the average number of open letters in the two years preceding the term when the salary is elected, based upon the following schedule:

- (1) Zero to five letters: salary shall be a minimum of seven thousand five hundred dollars;
- (2) Six to fifteen letters: salary shall be a minimum of fifteen thousand dollars;
- (3) Sixteen to twenty-five letters: salary shall be a minimum of twenty thousand dollars;
- (4) Twenty-six to thirty-nine letters: salary shall be a minimum of twenty-five thousand dollars;
- (5) Public administrators with forty or more letters shall be considered full-time county officials and shall be paid according to the assessed valuation schedule set forth below:

Assessed Valuation			Salary
8,000,000	to	40,999,999	\$29,000
41,000,000	to	53,999,999	\$30,000

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54,000,000	to	65,999,999	\$32,000
66,000,000	to	85,999,999	\$34,000
86,000,000	to	99,999,999	\$36,000
100,000,000	to	130,999,999	\$38,000
131,000,000	to	159,999,999	\$40,000
160,000,000	to	189,999,999	\$41,000
190,000,000	to	249,999,999	\$41,500
250,000,000	to	299,999,999	\$43,000
300,000,000	to	449,999,999	\$45,000
450,000,000	to	599,999,999	\$47,000
600,000,000	to	749,999,999	\$49,000
750,000,000	to	899,999,999	\$51,000
900,000,000	to	1,049,999,999	\$53,000
1,050,000,000	to	1,199,999,999	\$55,000
1,200,000,000	to	1,349,999,999	\$57,000
1,350,000,000	and over		\$59,000

;

(6) The public administrator in the city of St. Louis shall receive a salary not less than sixty-five thousand dollars;

(7) Two thousand dollars of the compensation authorized in this section shall be payable to the public administrator only if he or she has completed at least twenty hours of instruction each calendar year relating to the operations of the public administrator's office when approved by a professional association of the county public administrators of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each public administrator who completes the training program and shall send a list of certified public administrators to the treasurer of each county. Expenses incurred for attending the training session shall be reimbursed to the county public administrator in the same manner as other expenses as may be appropriated for that purpose.

3. **If a public administrator is appointed by the court as both a guardian and a conservator to the same ward or protectee, it shall be considered two letters.**

4. **Notwithstanding subsection 2 or 5 of this section, upon majority approval by the salary commission, a public administrator may be paid according to the assessed valuation schedule set forth in subdivision (5) of subsection 2 of this section. If the salary commission elects to pay a public administrator according to the assessed valuation schedule, the salary commission shall not elect to change at any future time to pay the public administrator's office according to the**

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average number of open letters in lieu of paying them according to the assessed valuation schedule.

5. The initial compensation of the public administrator who elects to be put on salary shall be determined by the average number of letters for the two years preceding the term when the salary is elected. Salary increases or decreases according to the minimum schedule set forth in ~~[subsection 4 of]~~ this section shall be adjusted only after the number of open letters places the workload in a different subdivision for two consecutive years. Minimum salary increases or decreases shall only take effect upon a new term of office of the public administrator. The number of letters each year shall be determined in accordance with the reporting requirements set forth in law.

~~[4.]~~ 6. All fees collected by a public administrator who elects to be salaried shall be deposited in the county treasury or with the treasurer for the city of St. Louis.

~~[5.]~~ 7. Any public administrator in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants who elects to receive fees in lieu of a salary pursuant to this section may elect to join the Missouri local government employees' retirement system created pursuant to sections 70.600 to 70.755.

8. (1) A letter of guardianship and a letter of conservatorship shall be counted as separate letters.

(2) For purposes of this subsection:

(a) "Letter of conservatorship" means the appointment of a conservatorship of an estate by the court to a protectee adjudged to be disabled;

(b) "Letter of guardianship" means the appointment of a guardianship by the court to a ward adjudged to be incapacitated.

523.061. DETERMINATION OF HOMESTEAD TAKING AND HERITAGE VALUE. — After the filing of the commissioners' report pursuant to section 523.040, the circuit judge presiding over the condemnation proceeding shall apply the provisions of section 523.039 and shall determine whether a homestead taking has occurred and shall determine whether heritage value is payable and shall increase the commissioners' award to provide for the additional compensation due where a homestead taking occurs or where heritage value applies, in accordance with the just compensation provisions of section 523.039. If a jury trial of exceptions occurs under section 523.060 **and the circuit judge presiding over the condemnation proceeding has determined that a homestead taking has occurred or heritage value is payable**, the circuit judge presiding over the condemnation proceeding shall apply the provisions of section 523.039 ~~[and shall determine whether a homestead taking has occurred and shall determine whether heritage value is payable]~~ and shall increase the jury verdict to provide for the additional compensation due where a homestead taking occurs or where heritage value applies, in accordance with the just compensation provisions of section 523.039. **Notwithstanding any other provision of law in sections 523.001 to 523.286 to the contrary, a circuit judge who determines that heritage value is payable as provided in this section shall not increase the commissioners' award or jury verdict to provide for the additional compensation due where heritage value applies if the plaintiff is a city, town, or village that is incorporated in accordance with the laws of this state and the plaintiff moves for exclusion of the heritage value and shows after an evidentiary hearing by a preponderance of the evidence that the property taken has been:**

(1) Abandoned;

(2) Declared a nuisance and been ordered to be vacated;

(3) Demolished or repaired after notice and hearing; or

(4) Materially and negatively contributed to a blighted area as that term is defined in section 99.805.

SECTION 1. CONVEYANCE OF PROPERTY LOCATED IN CITY OF KIRKSVILLE, ADAIR COUNTY, TO THE KIRKSVILLE R-III SCHOOL DISTRICT. — 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Kirksville, Adair County, Missouri, to the Kirksville R-III School District. The property to be conveyed is more particularly described as follows:

All of Block thirty nine (39) of the Original Town (Now City) of Kirksville, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

SECTION 2. CONVEYANCE OF PROPERTY LOCATED IN CITY OF KIRKSVILLE, ADAIR COUNTY, TO TRUMAN STATE UNIVERSITY. — 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Kirksville, Adair County, Missouri to Truman State University. The property to be conveyed is more particularly described as follows:

Part of the Northwest Fourth (NW 1/4) of the Northeast Quarter (NE 1/4) Section 16 Township 62 Range 15 Adair County, Missouri, beginning at a point Six Hundred Twenty-nine and One-half (629 1/2) feet South and Twenty (20) feet East of the Northwest (NW) Corner of said Forty acre tract, and running thence East Two Hundred Twenty-five (225) feet, thence South One Hundred Feet (100), thence West Two Hundred Twenty-five (225) feet, thence North One Hundred (100) feet to place of beginning;

Also part of the Northwest Fourth (NW 1/4) of the Northeast Quarter (NE 1/4) Section 16 Township 62 Range 15 Adair County, Missouri, beginning Six Hundred Twenty-nine and One-half (629 1/2) feet South and Two Hundred Forty-five (245) feet East of the Northwest (NW) Corner of said Forty acre tract, and running thence East Four Hundred Forty-eight (448) feet more or less to the West line of Florence Street, thence South Fifty-one (51) feet Four (4) inches, thence West Four Hundred Forty-eight (448) feet, thence North Fifty-one (51) feet Four (4) inches to beginning; subject to Right-of-Way for highway across Southwest Corner thereof.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

SECTION 3. CONVEYANCE OF PROPERTY LOCATED IN CITY OF ROLLA, PHELPS COUNTY, TO EDGEWOOD INVESTMENTS. — 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Rolla, Phelps County, Missouri, to Edgewood Investments. The property to be conveyed is more particularly described as follows:

A fractional part of Lot 119 of the Railroad Addition in Rolla, Missouri, and more particularly described as follows: Commencing at the Northwest Corner of said Lot 119; thence South 0°43' West, 30.00 feet to the South line of Gale Drive; thence North 88°53' East, 311.92 feet along said South street line; thence South 0°52' West, 325.00 feet; thence North 88°53' East, 109.10 feet to the true point of beginning of the tract

hereinafter described: Thence North 88°53' East, 10.00 feet to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2017-4361; thence South 0°52' West, 241.19 feet along the West line of said Document No. 2017-4361 parcel to its southwest corner; thence South 89°07' West, 10.00 feet; thence North 0°52' East, 241.19 feet to the true point of beginning. Description derived from survey recorded in Phelps County Surveyor's records in Book "I" at Page S-6038, dated August 30th, A.D. 1982, made by Elgin & Associates, Engineers & Surveyors, Rolla, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

SECTION 4. CONVEYANCE OF PROPERTY LOCATED IN THE CITY OF ST. LOUIS, HUTCHINSON'S SUBDIVISION. — 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of St. Louis, Missouri. The property to be conveyed is more particularly described as follows:

Legal Description from Quit Claim Deed between the Land Reutilization Authority, City of St. Louis and the State of Missouri. Dated 10-3-1996

PARCEL NO. 1:

The Southern part of Lot 1 of HUTCHINSON'S THIRD ADDITION and in Block 3558 of the City of St. Louis, fronting 53 feet 5-1/2 inches on the East line of Newstead Avenue, by a depth Eastwardly of 202 feet 11-1/4 inches along the North line of Carrie Avenue to the West line of Lot 2 and having a width along the West line of said Lot 2 of 50 feet. Together with all improvements thereon, if any, known as and numbered 4443 N. Newstead Avenue and also known as parcel 3558-00-01100.

PARCEL NO. 2:

Lot 11 in Block 1 of HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, fronting 50 feet on the Northwest line of Pope Avenue, by a depth Northwest of 155 feet to the Southeast line of Lot 16 of said block and addition. Together with all improvements thereon, if any, known as and numbered 4521 Pope Avenue and also known as parcel 3559-00-02600.

PARCEL NO. 3:

The Northern 1/2 of Lot 12 in Block 1 of HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the dividing line of said Block. (Pope Avenue is now treated as running North and South).

The Southern half of Lot No. 12, partly in Block No. 1 of HUTCHINSON'S SUBDIVISION of the SHREVE TRACT, and partly in HUTCHINSON'S THIRD SUBDIVISION and in Block No. 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the West line of said Lot. (Pope Avenue is now treated as running North and South). Together with all improvements thereon, if any, known as and numbered 4515-17 Pope Avenue and also known as parcel 3559-00-02710.

PARCEL NO. 4:

The Northern 1/2 of Lot No. 13, partly in Block No. 1 of HUTCHINSON'S ADDITION and partly in HUTCHINSON'S THIRD SUBDIVISION and in Block No. 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly between parallel lines of 155 feet to the dividing line of said Block. (Pope Avenue is now treated as running North and South). Together with all improvements thereon, if any, known as and numbered 4511 Pope Avenue and also known as parcel 3559-00-02900.

PARCEL NO. 5:

The Southern 1/2 of Lot No. 13 in Block No. 1 of HUTCHINSON'S SUBDIVISION and in Block No. 3559 of the City of St. Louis, having a front of 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the dividing line of said Block. Together with all improvements thereon, if any, known as and numbered 4509 Pope Avenue and also known as parcel 3559-00-03000.

PARCEL NO. 6:

Lot No. 14 in Block No. 3559 of the City of St. Louis, lying partly in HUTCHINSON'S THIRD SUBDIVISION and partly in Block No. 1 of HUTCHINSON'S ADDITION, fronting 93 feet 1-3/4 inches on the North line of Pope Avenue, by a depth Northwardly of 165 feet 81/2 inches on the West line and 155 feet on the East line to the North line of said lot, on which there is a width of 30 feet 2-1.2 inches; bounded West by Newstead Avenue. Together with all improvements thereon, if any, known as and numbered 4501-03 Pope Avenue and also known as parcel 3559-00-03100.

PARCEL NO. 7:

Lots No. 15 and 16 in HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, beginning in the East line of Newstead Avenue at the Southwest corner of said Lot 15, thence North along the East line of Newstead Avenue 165 feet 8-1/2 inches to Carrie Avenue, thence Northeast along Carrie Avenue 117 feet 3-1/2 inches to the Northeast corner of said Lot 16, thence Southeast 155 feet to the Southeast corner of said Lot 16, thence Southwest 180 feet 2-12 inches to the point of beginning. Together with all improvements thereon, if any, known as and numbered 4431 No. Newstead Avenue and also known as parcel 3559-00-03200.

Legal Description from Quit Claim Deed between the Health and Educational Facilities Authority and the State of Missouri. Dated 9-16-1993.

PARCEL 1:

Lots numbered 1, 2, 3, 4, 5 and 9 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, being more particularly described as follows: Beginning at the intersection of the North line of Carter Avenue and the West line of Newstead Avenue; thence Northwardly along the West line of Newstead Avenue 190 feet to an angle in said street; thence Northwardly still following said West line of Newstead Avenue 209 feet 10-3/4 inches to the corner of Lot 8; thence Southwestwardly along the line between Lots 8 and 9, a distance of 180 feet 0-1/2 inch to the North line of Lot 3; thence Westwardly along the north line of Lots 3, 4 and 5, a distance of 500 feet to a point in the East line of Taylor Avenue; thence Southwardly along the East line of Taylor Avenue 369 feet 4-1/2 inches to the North line of Carter Avenue; thence Eastwardly along the North line of Carter Avenue 801 feet 2-1/2 inches to the West line of Newstead Avenue and the place of beginning.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

PARCEL 2:

Lots 7 and 8 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, together fronting 225 feet 1-1/2 inches on the West line of Newstead Avenue, by a depth Westwardly on the North line of Lot 7 of 283 feet 4-1/2 inches and on the South line of Lot 8 a distance of 180 feet 1/2 inch; bounded North by Lot 6 and South by Lot 9 and on the West by Lots 3 and 4 of said subdivision.

PARCEL 3:

Part of Lot 6 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, beginning at a point in the East line of an alley, 181 feet South of the South line of Newstead Avenue; thence Southwardly along the East line of said alley, 183 feet 9 inches to the south line of Lot 6; thence Eastwardly along the South line of said Lot, 157 feet 6 inches to the West line of Lot 7; thence Northwardly along the West line of Lot 7 183 feet 9 inches to a point 99 feet 7-1/2 inches South of the South line of Newstead Avenue; thence Westwardly 157 feet 6 inches to the East line of said alley and the point of beginning.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.
3. The attorney general shall approve the form of the instrument of conveyance.

SECTION 5. CONVEYANCE OF PROPERTY LOCATED IN ST. LOUIS COUNTY, BERNADETTE SUBDIVISION. — 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in St. Louis County, Missouri. The property to be conveyed is more particularly described as follows:

A tract of land located in U.S. Survey 3341, Township 44 North, Ranges 6 and 7 East of the 5th P.M., more particularly described as follows: Commencing at the Northeast Corner of St. Bernadette Subdivision, St. Louis County, Missouri; thence North 70°52'40" West, 213.38 feet along the centerline of Sherman Avenue to its intersection with the centerline of Worth Road (aka Gregg Road), also being the southernmost corner of Parcel A as described in St. Louis County Deed Records at Book 8412, Page 545; thence North 19°06'20" East, 110.00 feet along said centerline of Worth Road (aka Gregg Road) and along the easterly line of said Parcel A to its easternmost corner, the true point of beginning of the hereinafter described tract: Thence North 70°53'10" West, 250.12 feet along the northerly line of said Parcel A to its northernmost corner, also being a point on the centerline of Randolph Street; thence North 19°02'30" East, 182.89 feet along said centerline of Randolph Street to its projected intersection with the centerline of Randolph Place; thence North 10°48'20" East, 85.08 feet to the southwest corner of Parcel B as described in St. Louis County Deed Records at the aforesaid Book 8412, Page 545; thence South 70°52'40" East, 262.25 feet along the southerly line of said Parcel B to its southeast corner, also being a point on the aforesaid centerline of Worth Road (aka Gregg Road); thence South 19°01'40" West, 267.03 feet along said centerline to the true point of beginning. Above described tract contains 1.54 acre, more or less, per plat of survey J-576, revised June 20, 2018, by Archer-Elgin Surveying and Engineering, LLC.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

SECTION 6. COVID-19 VACCINATION NOT REQUIRED FOR POLITICAL SUBDIVISION PUBLIC EMPLOYEES. — No public employee, as that term is defined in section 105.500, shall be required by any political subdivision to receive a vaccination against COVID-19 as a condition of commencing or continuing employment. As used in this section, the term "political subdivision" shall not include any facility that meets the definition of hospital in section 197.020, any long term care facility licensed under chapter 198, any entity that meets the definition of facility in section 199.170, any facility certified by the Centers for Medicare and Medicaid Services (CMS), any state department or agency, or employees thereof, that are part of an onsite survey team performing federal oversight of certified providers and suppliers for CMS, or any entity or individual licensed under sections 190.001 to 190.245.

[50.800. COMMISSION TO PREPARE AND PUBLISH FINANCIAL STATEMENTS — CONTENTS (SECOND, THIRD AND FOURTH CLASS COUNTIES). — ~~1. On or before the first Monday in March of each year, the county commission of each county of the second, third, or fourth class shall prepare and publish in some newspaper as provided for in section 493.050, if there is one, and if not by notices posted in at least ten places in the county, a detailed financial statement of the county for the year ending December thirty first, preceeding.~~

~~2. The statement shall show the bonded debt of the county, if any, kind of bonds, date of maturity, interest rate, rate of taxation levied for interest and sinking fund and authority for the levy, the total amount of interest and sinking fund that has been collected and interest and sinking fund on hand in cash.~~

~~3. The statement shall also show separately the total amount of the county and township school funds on hand and loaned out, the amount of penalties, fines, levies, utilities, forfeitures, and any other taxes collected and disbursed or expended during the year and turned into the permanent school fund, the name of each person who has a loan from the permanent school fund, whether county or township, the amount of the loan, date loan was made and date of maturity, description of the security for the loan, amount, if any, of delinquent interest on each loan.~~

~~4. The statement shall show the total valuation of the county for purposes of taxation, the highest rate of taxation the constitution permits the county commission to levy for purposes of county revenue, the rate levied by the county commission for the year covered by the statement, division of the rate levied among the several funds and total amount of delinquent taxes for all years as of December thirty first.~~

~~5. The statement shall show receipts or revenues into each and every fund separately. Each fund shall show the beginning balance of each fund; each source of revenue; the total amount received from each source of revenue; the total amount available in each fund; the total amount of disbursements or expenditures from each fund and the ending balance of each fund as of December thirty first. The total receipts or revenues for the year into all funds shall be shown in the recapitulation. In counties with the township form of government, each township shall be considered a fund pursuant to this subsection.~~

~~6. Total disbursements or expenditures shall be shown for warrants issued in each category contained in the forms developed or approved by the state auditor pursuant to section 50.745. Total amount of warrants, person or vendor to whom issued and purpose for which issued shall be shown except as herein provided. Under a separate heading in each fund the statements shall show what warrants are outstanding and unpaid for the lack of funds on that date with appropriate balance or overdraft in each fund as the case may be.~~

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Matter in bold-face type is proposed language.

7. Warrants issued to pay for the service of election judges and clerks of elections shall be in the following form:

Names of judges and clerks of elections at \$ _____ per day (listing the names run in and not listing each name by lines, and at the end of the list of names giving the total of the amount of all the warrants issued for such election services).

8. Warrants issued to pay for the service of jurors shall be in the following form:

Names of jurors at \$ _____ per day (listing the names run in and not listing each name by lines, and at the end of the list of names giving the total of the amount of all the warrants issued for such election service).

9. Warrants to Internal Revenue Service for Social Security and withholding taxes shall be brought into one call.

10. Warrants to the director of revenue of Missouri for withholding taxes shall be brought into one call.

11. Warrants to the division of employment security shall be brought into one call.

12. Warrants to Missouri local government employees' retirement system or other retirement funds for each office shall be brought into one call.

13. Warrants for utilities such as gas, water, lights and power shall be brought into one call except that the total shall be shown for each vendor.

14. Warrants issued to each telephone company shall be brought into one call for each office in the following form:

(Name of Telephone Company for _____ office and total amount of warrants issued).

15. Warrants issued to the postmaster for postage shall be brought into one call for each office in the following form:

(Postmaster for _____ office and total amount of warrants issued).

16. Disbursements or expenditures by road districts shall show the warrants, if warrants have been issued in the same manner as provided for in subsection 5 of this section. If money has been disbursed or expended by overseers the financial statement shall show the total paid by the overseer to each person for the year, and the purpose of each payment. Receipts or revenues into the county distributive school fund shall be listed in detail, disbursements or expenditures shall be listed and the amount of each disbursement or expenditure. If any taxes have been levied by virtue of Section 12(a) of Article X of the Constitution of Missouri the financial statement shall contain the following:

By virtue and authority of the discretionary power conferred upon the county commissions of the several counties of this state to levy a tax of not to exceed 35 cents on the \$100 assessed valuation the county commission of _____ County did for the year covered by this report levy a tax rate of _____ cents on the \$100 assessed valuation which said tax amounted to \$ _____ and was disbursed or expended as follows:

The statement shall show how the money was disbursed or expended and if any part of the sum has not been accounted for in detail under some previous appropriate heading the portion not previously accounted for shall be shown in detail.

17. At the end of the statement the person designated by the county commission to prepare the financial statement herein required shall append the following certificate:

I, _____, the duly authorized agent appointed by the county commission of _____ County, state of Missouri, to prepare for publication the financial statement as required by section 50.800, RSMo, hereby certify that I have diligently checked the records of the county and that the above and foregoing is a complete and correct statement of every item of information required in section 50.800, RSMo, for the year ending December 31, _____, and especially have I checked every receipt from every source whatsoever and every disbursement or

expenditure of every kind and to whom and for what each such disbursement or expenditure was made and that each receipt or revenue and disbursement or expenditure is accurately shown. (If for any reason complete and accurate information is not given the following shall be added to the certificate.) Exceptions: The above report is incomplete because proper information was not available in the following records _____ which are in the keeping of the following officer or officers. The person designated to prepare the financial statement shall give in detail any incomplete data called for by this section.

Date _____

Officer designated by county commission to prepare financial statement required by section 50.800, RSMo.

Or if no one has been designated said statement having been prepared by the county clerk, signature shall be in the following form:

Clerk of the county commission and ex officio officer designated to prepare financial statement required by section 50.800, RSMo.

~~18. Any person falsely certifying to any fact covered by the certificate is liable on his bond and upon conviction of falsely certifying to any fact covered by the certificate is guilty of a misdemeanor and punishable by a fine of not less than two hundred dollars or more than one thousand dollars or by imprisonment in the county jail for not less than thirty days nor more than six months or by both fine and imprisonment. Any person charged with the responsibility of preparing the financial report who willfully or knowingly makes a false report of any record, is, in addition to the penalty otherwise provided for in this law, deemed guilty of a felony and upon conviction shall be sentenced to the penitentiary for not less than two years nor more than five years.]~~

[50.810. STATEMENTS, WHERE FILED — FAILURE TO COMPLY, PENALTY (SECOND, THIRD AND FOURTH CLASS COUNTIES). — 1. The statement shall be printed in not less than 8 point type, but not more than the smallest point type over 8 point type available and in the standard column width measure that will take the least space. The publisher shall file two proofs of publication with the county commission and the commission shall forward one proof to the state auditor and shall file the other in the office of the commission. The county commission shall not pay the publisher until proof of publication is filed with the commission and shall not pay the person designated to prepare the statement for the preparation of the copy for the statement until the state auditor notifies the commission that proof of publication has been received and that it complies with the requirements of this section.

2. The statement shall be spread on the record of the commission and for this purpose the publisher shall be required to furnish the commission with at least two copies of the statement that may be pasted on the record. The publisher shall itemize the cost of publishing said statement by column inch as properly chargeable to the several funds and shall submit such costs for payment to the county commission. The county commission shall pay out of each fund in the proportion that each item bears to the total cost of publishing said statement and shall issue warrants therefor; provided any part not properly chargeable to any specific fund shall be paid from the county general revenue fund.

3. The state auditor shall notify the county treasurer immediately of the receipt of the proof of publication of the statement. After the first of April of each year the county treasurer shall not pay or enter for protest any warrant for the pay of any commissioner of any county commission until notice is received from the state auditor that the required proof of publication has been filed. Any county treasurer paying or entering for protest any warrant for any commissioner of the county commission prior to the receipt of such notice from the state auditor shall be liable on his official bond therefor.

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~~4. The state auditor shall prepare sample forms for financial statements and shall mail the same to the county clerks of the several counties in this state. If the county commission employs any person other than a bonded county officer to prepare the financial statement the county commission shall require such person to give bond with good and sufficient sureties in the penal sum of one thousand dollars for the faithful performance of his duty. If any county officer or other person employed to prepare the financial statement herein provided for shall fail, neglect, or refuse to, in any manner, comply with the provisions of this law he shall, in addition to other penalties herein provided, be liable on his official bond for dereliction of duty.]~~

SECTION B. EFFECTIVE DATE. — The enactment of section 67.2300 of this act shall become effective on January 1, 2023.

Approved June 29, 2022

SS HCS HB 1662

Enacts provisions relating to restrictions on real property, with an effective date for a certain section.

AN ACT to repeal sections 59.310, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.825, 92.835, 92.840, 92.852, 92.855, 442.130, 442.403, and 442.404, RSMo, and to enact in lieu thereof twenty-four new sections relating to restrictions on real property, with an effective date for a certain section.

SECTION

A Enacting clause.

- 59.310 Documents for recording — page, defined — size of type or print — signature requirements — recorder's fee.
- 64.008 Home-based work — limitation on zoning restrictions.
- 65.710 Home-based work — limitation on zoning restrictions.
- 71.990 Home-based business, use of residential dwelling — limitations on restrictions by political subdivisions — reasonable regulations permitted.
- 89.500 Home-based work — limitation on zoning restrictions.
- 92.720 Unredeemed lands, how proceeded against, lists — limitation on actions.
- 92.740 Petition, form, contents.
- 92.750 Redemption by interested party, certificate — foreclosure sale, effect of.
- 92.760 Notice of filing, how made, form of.
- 92.765 Records of actions taken, where filed.
- 92.770 Attorneys, employment authorized, compensation.
- 92.775 Trial, evidence, judgment — severances — jury not authorized — precedence of action.
- 92.810 Waiting period after final judgment — notice of sale to owners, form of — failure to redeem, transfer, purpose, reimbursement.
- 92.815 Redemption contracts, installment payments.
- 92.817 Foreclosure sale stayed, when — procedure.
- 92.825 Sale, how conducted — interest conveyed — costs, how advanced — purchase price, payable when, amount.
- 92.835 Title, how held by reutilization authority — title, how taken by others.

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- 92.840 Confirmation of sales, when — proceeds of sale, how applied — occupancy permit, defined, when required, effect, failure to obtain, result.
- 92.852 Recording fee, sheriff's deed given pursuant to municipal land reutilization law, assessed when — recorded, when.
- 92.855 Sheriff's deed, effect of.
- 260.295 Refrigerants, use of — building codes not to prohibit if approved for use under federal law.
- 442.130 Execution of deeds and other conveyances.
- 442.403 Restrictive covenants relating to discrimination invalid — effect — no liability by existence of covenant in document filed by specific date.
- 442.404 Political signs, homeowners' associations not to prohibit — reasonable restrictions and removal permitted, when.
- B Effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 59.310, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.825, 92.835, 92.840, 92.852, 92.855, 442.130, 442.403, and 442.404, RSMo, are repealed and twenty-four new sections enacted in lieu thereof, to be known as sections 59.310, 64.008, 65.710, 71.990, 89.500, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.817, 92.825, 92.835, 92.840, 92.852, 92.855, 260.295, 442.130, 442.403, and 442.404, to read as follows:

59.310. DOCUMENTS FOR RECORDING — PAGE, DEFINED — SIZE OF TYPE OR PRINT — SIGNATURE REQUIREMENTS — RECORDER'S FEE. — 1. The county recorder of deeds may refuse any document presented for recording that does not meet the following requirements:

(1) The document shall consist of one or more individual pages printed only on one side and not permanently bound nor in a continuous form. The document shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements, provided that a document may be stapled together for presentation for recording; a label that is firmly attached with a bar code or return address may be accepted for recording;

(2) The size of print or type shall not be smaller than eight-point type and shall be in black or dark ink. Should any document presented for recording contain type smaller than eight-point type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(3) The document must be of sufficient legibility to produce a clear and legible reproduction thereof. Should any document not be of sufficient legibility to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(4) The document shall be on white ~~paper~~ or light-colored **paper** of not less than twenty-pound weight without watermarks or other visible inclusions, except for plats and surveys, which may be on materials such as Mylar or velum. All text within the document shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable;

(5) All signatures on a document shall be in black or dark ink, such that such signatures shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable, and shall have the corresponding name typed, printed or stamped underneath said signature. The typing or printing of any name or the applying of an embossed or inked stamp shall not cover or otherwise materially interfere with any part of the document except where provided for by law;

(6) The documents shall have a top margin of at least three inches of vertical space from left to right, to be reserved for the recorder of deeds' certification and use. All other margins on the document shall be a minimum of three-fourths of one inch on all sides. Nonessential information such as form

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numbers, page numbers or customer notations may be placed in the margin. A document may be recorded if a minor portion of a seal or incidental writing extends beyond the margins. The recorder of deeds will not incur any liability for not showing any seal or information that extends beyond the margins of the permanent archival record.

2. Every document containing any of the items listed in this subsection that is presented for recording, except plats and surveys, shall have such information on the first page below the three-inch horizontal margin:

- (1) The title of the document;
- (2) The date of the document;
- (3) All grantors' names **and marital status**;
- (4) All grantees' names;
- (5) Any statutory addresses;
- (6) The legal description of the property; and
- (7) Reference book and pages for statutory requirements, if applicable.

If there is not sufficient room on the first page for all of the information required by this subsection, the page reference within the document where the information is set out shall be stated on the first page.

3. From January 1, 2002, documents which do not meet the requirements set forth in this section may be recorded for an additional fee of twenty-five dollars, which shall be deposited in the recorders' fund established pursuant to subsection 1 of section 59.319.

4. Documents which are exempt from format requirements and which the recorder of deeds may record include the following:

- (1) Documents which were signed prior to January 1, 2002;
- (2) Military separation papers;
- (3) Documents executed outside the United States;
- (4) Certified copies of documents, including birth and death certificates;
- (5) Any document where one of the original parties is deceased or otherwise incapacitated; and
- (6) Judgments or other documents formatted to meet court requirements.

5. Any document rejected by a recorder of deeds shall be returned to the preparer or presenter accompanied by an explanation of the reason it could not be recorded.

6. Recorders of deeds shall be allowed fees for their services as follows:

(1) For recording every deed or instrument: five dollars for the first page and three dollars for each page thereafter except for plats and surveys;

(2) For copying or reproducing any recorded instrument, except surveys and plats: a fee not to exceed two dollars for the first page and one dollar for each page thereafter;

(3) For every certificate and seal, except when recording an instrument: one dollar;

(4) For recording a plat or survey of a subdivision, outlets or condominiums: twenty-five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. For recording a survey of one or more tracts: five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. Any plat or survey larger than eighteen inches by twenty-four inches shall be counted as an additional sheet for each additional eighteen inches by twenty-four inches, or fraction thereof, plus five dollars per page of other material;

(5) For copying a plat or survey of one or more tracts: a fee not to exceed five dollars for each sheet of drawings and calculations not larger than twenty-four inches in width and eighteen inches in height and one dollar for each page of other material;

(6) For a document which releases or assigns more than one item: five dollars for each item beyond one released or assigned in addition to any other charges which may apply;

(7) For every certified copy of a marriage license or application for a marriage license: two dollars;

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(8) For duplicate copies of the records in a medium other than paper, the recorder of deeds shall set a reasonable fee not to exceed the costs associated with document search and duplication; and

(9) For all other use of equipment, personnel services and office facilities, the recorder of deeds may set a reasonable fee.

64.008. HOME-BASED WORK — LIMITATION ON ZONING RESTRICTIONS. — 1. As used in this section, the term "home-based work" means any lawful occupation performed by a resident within a residential home or accessory structure, which is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.

2. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not:

- (1) Prohibit mail order or telephone sales for home-based work;
- (2) Prohibit service by appointment within the home or accessory structure;
- (3) Prohibit or require structural modifications to the home or accessory structure;
- (4) Restrict the hours of operation for home-based work; or
- (5) Restrict storage or the use of equipment that does not produce effects outside the home or accessory structure.

3. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not contain provisions that explicitly restrict or prohibit a particular occupation.

4. The application of this section does not supersede any deed restriction, covenant, or agreement restricting the use of land nor any master deed, by law or other document applicable to a common interest ownership community.

65.710. HOME-BASED WORK — LIMITATION ON ZONING RESTRICTIONS. — 1. As used in this section, the term "home-based work" means any lawful occupation performed by a resident within a residential home or accessory structure, which is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.

2. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not:

- (1) Prohibit mail order or telephone sales for home-based work;
- (2) Prohibit service by appointment within the home or accessory structure;
- (3) Prohibit or require structural modifications to the home or accessory structure;
- (4) Restrict the hours of operation for home-based work; or
- (5) Restrict storage or the use of equipment that does not produce effects outside the home or accessory structure.

3. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not contain provisions that explicitly restrict or prohibit a particular occupation.

4. The application of this section does not supersede any deed restriction, covenant, or agreement restricting the use of land nor any master deed, by law or other document applicable to a common interest ownership community.

71.990. HOME-BASED BUSINESS, USE OF RESIDENTIAL DWELLING — LIMITATIONS ON RESTRICTIONS BY POLITICAL SUBDIVISIONS — REASONABLE REGULATIONS PERMITTED. — 1. As used in this section, the following terms mean:

- (1) "Goods", any merchandise, equipment, products, supplies, or materials;
- (2) "Home-based business", any business operated in a residential dwelling that manufactures, provides, or sells goods or services and that is owned and operated by the owner or tenant of the residential dwelling.

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Matter in bold-face type is proposed language.

2. Any person who resides in a residential dwelling may use the residential dwelling for a home-based business unless such use is restricted by:

- (1) Any deed restriction, covenant, or agreement restricting the use of land; or
- (2) Any master deed, bylaw, or other document applicable to a common-interest ownership community.

3. Except as prescribed under subsection 4 of this section, a political subdivision shall not prohibit the operation of a no-impact, home-based business or otherwise require a person to apply for, register for, or obtain any permit, license, variance, or other type of prior approval from the political subdivision to operate a no-impact, home-based business. For the purposes of this section, a home-based business qualifies as a no-impact, home-based business if:

- (1) The total number of employees and clients on-site at one time does not exceed the occupancy limit for the residential dwelling; and
- (2) The activities of the business:
 - (a) Are limited to the sale of lawful goods and services;
 - (b) May involve having more than one client on the property at one time;
 - (c) Do not cause a substantial increase in traffic through the residential area;
 - (d) Do not violate any parking regulations established by the political subdivision;
 - (e) Occur inside the residential dwelling or in the yard of the residential dwelling;
 - (f) Are not visible from the street; and
 - (g) Do not violate any narrowly tailored regulation established under subsection 4 of this section.

4. A political subdivision may establish reasonable regulations on a home-based business if the regulations are narrowly tailored for the purpose of:

- (1) Protecting the public health and safety, including regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste, pollution, and noise control; or
- (2) Ensuring that the business activity is compliant with state and federal law and paying applicable taxes.

5. No political subdivision shall require a person, as a condition of operating a home-based business, to:

- (1) Rezone the property for commercial use;
- (2) Obtain a home-based business license; or
- (3) Install or equip fire sprinklers in a single-family detached residential dwelling or any residential dwelling with no more than two dwelling units.

6. Whether a regulation complies with this section is a judicial question.

89.500. HOME-BASED WORK — LIMITATION ON ZONING RESTRICTIONS. — 1. As used in this section, the term "home-based work" means any lawful occupation performed by a resident within a residential home or accessory structure, which is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.

2. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not:

- (1) Prohibit mail order or telephone sales for home-based work;
- (2) Prohibit service by appointment within the home or accessory structure;
- (3) Prohibit or require structural modifications to the home or accessory structure;
- (4) Restrict the hours of operation for home-based work; or
- (5) Restrict storage or the use of equipment that does not produce effects outside the home or accessory structure.

3. A zoning ordinance or regulation adopted pursuant to this chapter that regulates home-based work shall not contain provisions that explicitly restrict or prohibit a particular occupation.

4. The application of this section does not supersede any deed restriction, covenant, or agreement restricting the use of land nor any master deed, by law or other document applicable to a common interest ownership community.

92.720. UNREDEEMED LANDS, HOW PROCEEDED AGAINST, LISTS — LIMITATION ON ACTIONS. — 1. If any of the lands or town lots contained in the back tax book or list of delinquent lands or lots remain unredeemed on the first day of January, the collector may file suit in the circuit court against such lands or lots to enforce the lien of the state and city as herein provided in sections 92.700 to 92.920.

2. The collector shall note opposite such tract in the back tax book the fact that suit has been commenced.

3. The collector shall compile lists of all state, city, school and other tax bills collectible by him which are delinquent according to his records and he shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the city on any delinquent tax bill included in any list, the collector shall give the court docket number of each suit.

4. The sheriff may appoint the collector and the collector's deputies as deputy sheriffs, and when so appointed they may serve all process in matters pertaining to sections 92.700 to 92.920 with like effect as the sheriff himself might do.

5. No action for recovery of taxes against real estate shall be commenced, had or maintained, unless action therefor shall be commenced within five years after delinquency.

6. For any improved parcel identified by a city operating under sections 92.700 to 92.920 as being vacant, the collector shall, within no more than two years after delinquency, file suit in the circuit court against such lands or lots to enforce the lien of the state and the city as provided in sections 92.700 to 92.920. Failure of the collector to bring suit within the time frame prescribed herein shall not constitute a defense or bar an action for the collection of taxes as otherwise provided by this section.

92.740. PETITION, FORM, CONTENTS. — 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk and with the land reutilization authority a petition, which petition shall contain a caption, a copy of the list prepared by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of _____ Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of _____, Missouri, Plaintiff

-vs-

Parcels of Land Encumbered with Delinquent Tax Liens, Defendants

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 92.700 to 92.920 and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under the provisions of sections 92.700 to 92.920.

4. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

5. For each petition filed, the collector shall make available to the public a list detailing each parcel included in the suit.

92.750. REDEMPTION BY INTERESTED PARTY, CERTIFICATE — FORECLOSURE SALE, EFFECT OF. — 1. **Except as otherwise provided in subsection 4 of this section,** any person having any right, title, or interest in, or lien upon, any parcel of real estate described in such petition may redeem such parcel of real estate by paying to the collector all of the sums mentioned therein, including principal, interest, penalties, attorney's fees and costs then due, at any time prior to the time of the foreclosure sale of such real estate by the sheriff.

2. In the event of failure to redeem prior to the time of the foreclosure sale by the sheriff, such person shall be barred and forever foreclosed of all his right, title and interest in and to the parcels of real estate described in such petition.

3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a certificate of redemption from the collector describing the property in the same manner as it is described in such petition, and the collector shall thereupon note on his records the word "redeemed" and the date of such payment opposite the description of such parcel of real estate.

4. For any improved nonhomestead parcel, any person having any right, title, or interest in, or lien upon, any parcel of real estate described in the petition may redeem such parcel of real estate at any time prior to the time of the foreclosure sale of such real estate by the sheriff by paying to the collector all of the sums due as of the date of redemption mentioned therein, including principal, interest, penalties, attorney's fees, and costs then due including, but not limited to, all debts owed to the city, exclusive of any debts owed to any statutorily created sewer district, that are known to the collector and that may be collected pursuant to section 67.451, such as amounts for water, forestry, nuisance abatement, special tax bills, and vacant building assessments.

92.760. NOTICE OF FILING, HOW MADE, FORM OF. — 1. The collector shall also cause to be prepared and mailed in an envelope with postage prepaid, within thirty days after the filing of such petition, a brief notice of the filing of the suit, to the persons named in the petition as ~~being the owners~~ **having an interest in the parcel,** according to the records of the assessor for, **or otherwise known to the collector,** the respective parcels of real estate described in the petition. The notices shall be sent to the addresses ~~of such persons upon the records of the assessor~~ **most likely to apprise the parties of the proceedings as provided,** and in the event that any name or address does not appear on the records of the assessor, with respect to any parcel of real estate, the collector shall so state in an affidavit, giving the serial number of each parcel of real estate affected. Such affidavit shall be filed in the suit with the circuit clerk not later than sixty days after the date of the first publication of the notice of foreclosure. The failure of the collector to mail the notice as provided in this section shall invalidate any proceedings brought pursuant to the provisions of sections 92.700 to 92.920. The failure of the collector to file the affidavit as provided in this section shall not affect the validity of any proceedings brought pursuant to the provisions of sections 92.700 to 92.920.

2. Such notice shall be substantially as follows:

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Matter in bold-face type is proposed language.

To the person to whom this notice is addressed:

According to [the] **available** records [~~in the assessor's office~~], you [~~are the record owner as to~~] **have a legal interest in** one or more parcels of real estate described in a certain petition bearing cause No. _____ (fill in number of case) filed in the Circuit Court of _____, Missouri, at _____ (fill in city), on _____, 20_____, wherein a foreclosure of the lien of various delinquent tax bills is sought and a court order asked for the purpose of selling such real estate at a public sale for payment of all delinquent tax bills, together with interest, penalties, attorney's fees and costs. Publication of notice of such foreclosure was commenced on the _____ day of _____, 20_____, in _____ (here insert name of city), Missouri.

THE COLLECTOR OF THE CITY OF _____ (Insert name of city) HAS FILED A LAWSUIT AGAINST YOUR PROPERTY. THE LAWSUIT SAYS THAT YOU ARE BEHIND ON YOUR PROPERTY TAXES. YOU COULD LOSE YOUR PROPERTY IF YOU DON'T DO ANYTHING ABOUT THIS.

YOU HAVE A RIGHT TO ENTER INTO AN AGREEMENT WITH THE COLLECTOR TO BRING YOUR TAXES UP TO DATE. YOU MAY CONTACT THE COLLECTOR BY CALLING _____ (Insert telephone number of collector). IF YOU DO NOT UNDERSTAND THIS NOTICE, OR YOU DO NOT KNOW WHAT TO DO, YOU MAY CALL THIS OFFICE FOR FURTHER EXPLANATION OR SEE A LAWYER RIGHT AWAY.

Unless all delinquent taxes be paid upon the parcels of real estate described in such petition and such real estate redeemed prior to the time of the foreclosure sale of such real estate by the sheriff, the owner or any person claiming any right, title or interest in or to, or lien upon, any such parcels of real estate shall be forever barred and foreclosed of all right, title and interest and equity of redemption in and to such parcels of real estate; except that any such persons shall have the right to file an answer in said suit on or before the _____ day of _____, 20_____, in the office of the Circuit Clerk and a copy thereof to the Collector, setting forth in detail the nature and amount of the interest and any defense or objection to the foreclosure. Dated _____

Collector of Revenue

_____, Missouri

(Name of City)

Address _____

92.765. RECORDS OF ACTIONS TAKEN, WHERE FILED. — Affidavits of publication of notice of foreclosure, and of posting, mailing, or other acts required by the provisions of sections 92.700 to

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92.920 shall be filed in the office of the circuit clerk prior to the trial, and when so filed shall constitute part of the evidentiary documents in the foreclosure suit. Such affidavits shall be prima facie evidence of the performance of acts therein described, and may be so used in the trial of the suit, unless challenged by verified answer duly filed in the suit. **The collector shall file with the court an affidavit of compliance with notice requirements of sections 92.700 to 92.920 prior to any sheriff's sale. The affidavit shall include the identities of all parties to whom notice was attempted and by what means. In the case of mailed notice returned undeliverable, the collector's affidavit shall certify that additional notice was attempted and by what means. The expense of complying with this section shall be taxed and collected as other costs in the suit.**

92.770. ATTORNEYS, EMPLOYMENT AUTHORIZED, COMPENSATION. — 1. The collector may employ such attorneys as he deems necessary to collect such taxes and to prosecute suits for taxes.

2. Such attorneys shall receive as total compensation a sum, not to exceed six percent of the amount of taxes actually collected and paid into the treasury, and an additional sum not to exceed two dollars for each suit filed when publication is not necessary and not to exceed five dollars where publication is necessary, as may be agreed upon in writing and approved by the collector, before such services are rendered.

3. The ~~attorney~~ **attorney's** fees shall be taxed as costs in the suit and collected as other costs.

92.775. TRIAL, EVIDENCE, JUDGMENT — SEVERANCES — JURY NOT AUTHORIZED — PRECEDENCE OF ACTION. — 1. Upon the trial of the cause upon the question of foreclosure, the tax bill shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as provided in sections 92.700 to 92.920. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel

of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff. **The receipt of such surplus funds shall constitute a bar to any claim of right, title, or interest in, or lien upon, said parcel of real estate, by the fund recipient.**

3. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

92.810. WAITING PERIOD AFTER FINAL JUDGMENT — NOTICE OF SALE TO OWNERS, FORM OF — FAILURE TO REDEEM, TRANSFER, PURPOSE, REIMBURSEMENT. — 1. After the judgment of foreclosure has been entered, or, after a motion for a new trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, there shall be a waiting period of six months before any advertisement of sheriff's sale shall be published.

2. If any such parcel of real estate be not redeemed, or if no written contract providing for redemption be made within six months after the date of the judgment of foreclosure, if no motion for rehearing be filed, and, if filed, within six months after such motion may have been overruled, or, if an appeal be taken from such judgment and the judgment be affirmed, within six months after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall, after giving the ~~[notice]~~ **notices** required by ~~[subsection 3]~~ **subsections 4 and 5** of this section, commence to advertise the real estate described in the judgment and shall fix the date of sale within thirty days after the date of the first publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the real estate.

3. **No later than one hundred twenty days prior to the sheriff's sale, the collector shall obtain a title abstract or report on any unredeemed parcels. Such title abstract or report shall be obtained from a licensed title company or attorney and subject to a public and competitive bidding process administered by the collector and conducted triennially. The title report shall include all conveyances, liens, and charges against the real estate, and the names and mailing addresses of any interested parties and lienholders. The charges of said abstract or report shall be taxed as costs and shall be paid as other costs in the case.**

4. **No later than twenty days prior to the sheriff's sale, the collector shall send notice of the sale to the lienholders and interested parties, as disclosed upon the title abstract or report of the real estate for which tax bills thereon are delinquent. The notice shall provide the date, time, and place of the sale. The notice shall also state that the parcel may be redeemed prior to the sale as specified in section 92.750 or by entering into an agreement with the collector to pay the taxes included in the foreclosure suit under section 92.740. The notice required by this subsection shall be mailed in an envelope with postage prepaid. The cost of the mailing and notice as required by this subsection shall be included as costs in the case.**

5. **No later than ~~[twenty]~~ **forty** days prior to the sheriff's sale, the ~~[sheriff]~~ **collector** shall send notice of the sale to the ~~[owner or owners,]~~ **parties having interest in the parcel** as disclosed upon the records**

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of the assessor, **or otherwise known to the collector**, of the real estate for which tax bills thereon are delinquent. ~~[The search of the records of the assessor must be made not more than forty days prior to the sending of this notice]~~ **The notice shall be sent to the addresses most likely to apprise the parties of the proceedings as provided.** The notice shall provide the date, time and place of the sale. The notice shall also state that ~~[the property owner]~~ **an interested party** may avoid the sale by redeeming such parcel of real estate prior to the sale as specified in section 92.750 or, **if applicable**, by entering into an agreement with the collector to pay the taxes included in the foreclosure suit under section 92.740. The notice required by this subsection shall be mailed in an envelope with postage prepaid. The cost of ~~[the title search,]~~ mailing and notice as required by this subsection shall be included as costs ~~[at the sale of the real estate]~~ **in the case.**

6. No later than twenty days prior to the sheriff's sale, the sheriff shall enter upon the parcel subject to foreclosure of these tax liens and post a written informational notice in a conspicuous location, attached to a structure, and intended to be visible by the nearest public right-of-way. This notice shall describe the property; shall advise that it is the subject of delinquent land tax collection proceedings brought pursuant to sections 92.700 to 92.920 and that it may be sold for the payment of delinquent taxes at a sale to be held at a certain time, date, and place; and shall contain the serial number and the phone number and address of the collector, as well as a statement of the prohibition against removal unless the parcel has been redeemed. The notice shall be not less than eight inches by ten inches and shall be laminated or otherwise sufficiently weatherproofed to withstand normal exposure to rain, snow, and other conditions. The sheriff shall document, by time-stamped photograph, compliance with this section, make said documentation generally available upon request, and provide verification by affidavit of compliance with this section. The cost of notice as required by this subsection shall be included as costs in the case.

7. In addition to the other notice requirements of this section, no later than twenty days prior to the sheriff's sale, the sheriff shall attempt in-person notice that shall describe the property; that shall advise that it is the subject of delinquent land tax collection proceedings brought pursuant to sections 92.700 to 92.920 and that it may be sold for the payment of delinquent taxes at a sale to be held a certain time, date, and place; and that shall contain the serial number and phone number and address of the collector. In-person notice may be provided to any person found at the property. The sheriff shall note the date and time of attempted notice and the name, description, or other identifying information regarding the person to whom notice was attempted. The sheriff shall document compliance with this section, make said documentation generally available upon request, and provide verification by affidavit of compliance with this section. The cost of notice as required by this subsection shall be included as costs in the case.

~~[4-]~~ **8.** Notwithstanding the provisions of this section to the contrary, any residential property which has not been redeemed by the end of the waiting period required by this section which has been determined to be of substandard quality or condition under the standards established by the residential renovation loan commission pursuant to sections 67.970 to 67.983 may, upon the request of the residential renovation loan commission, be transferred to the residential renovation loan commission for the purpose of renovation of the property. Any such property transferred pursuant to this subsection shall be renovated and sold by the residential renovation loan commission in the manner prescribed in sections 67.970 to 67.983. The residential renovation loan commission shall reimburse the land reutilization authority for all expenses directly incurred in relation to such property under sections 92.700 to 92.920 prior to the transfer.

92.815. REDEMPTION CONTRACTS, INSTALLMENT PAYMENTS. — 1. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by sections 92.700 to 92.920; except that during such time

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and at any time prior to the time of foreclosure sale by the sheriff, the collector shall enter into a written redemption contract with the owner of any real estate occupied as a homestead and who has not previously defaulted upon any such written redemption contract, provided that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with a total assessed valuation of not more than five thousand dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made. **The collector shall not enter into a redemption contract with respect to any improved parcel not occupied as a homestead.**

2. So long as such installments be paid according to the terms of the contract, the six months' waiting period shall be extended, but if any installment be not paid when due, the extension of the waiting period shall be ended and the real estate shall immediately be advertised for sale or included in the next notice of sheriff's foreclosure sale. Notice shall also be sent to the redemption contract ~~[payer]~~ **payer** as specified in subsection ~~[3]~~ **4** of section 92.810.

3. On an annual basis, the collector shall make publicly available the number of parcels under redemption contract under this section.

92.817. FORECLOSURE SALE STAYED, WHEN — PROCEDURE. — 1. The court shall stay the sale of any parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, which is the subject of an action filed under sections 447.620 to 447.640, provided that the party that has brought such an action has, upon an order of the court, paid into the circuit court the principal amount of all land taxes then due and owing under the tax foreclosure judgment, exclusive of penalties and interest, prior to the date of any proposed sale under execution.

2. Upon the granting by the court of temporary possession of any property under section 447.632, upon order, the circuit court shall direct payment to the collector of all principal land taxes theretofore paid to the circuit court. In addition, in any order granting a final judgment or deed under section 447.625 or 447.640, the court shall also order the permanent extinguishment of penalties and interest arising from actions to collect delinquent land taxes due on the parcel against the grantee of said deed, and all successors in interest; excepting however, any defendant in such action.

3. If an owner of the parcel moves the court for restoration of possession under section 447.638, the owner shall pay into the circuit court all land tax amounts currently due and owing on the property, including all statutory penalties, interest, attorney's fees, and court costs retroactive to the date of accrual. Upon an order granting the restoration of possession to an owner under section 447.638, the court shall order that the funds paid to the court under subsection 2 of this section be returned to the payer, and that the funds paid to the court under this subsection be paid out to the collector.

4. If the party that brought the action under sections 447.620 to 447.640 dismisses its action prior to gaining temporary possession of the property, it shall recover any amounts paid into the circuit court prior to that date for principal land taxes.

92.825. SALE, HOW CONDUCTED — INTEREST CONVEYED — COSTS, HOW ADVANCED — PURCHASE PRICE, PAYABLE WHEN, AMOUNT. — 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of

real estate taken under execution except as otherwise provided in sections 92.700 to 92.920, and provided that such sale need not occur during the term of court or while the court is in session.

2. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject only to the tax lien thereon, if any, of the United States of America.

3. The collector shall advance from current tax collections the sums necessary to pay for the publication of all advertisements required by the provisions of sections 92.700 to 92.920 and shall be allowed credit therefor in his accounts with the taxing authorities on a pro rata basis. He shall give credit in such accounts for all such advances recovered by him. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

4. **No person shall be eligible to bid at the time of the sheriff's sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the collector or sheriff that the person is not the owner of any parcel of real estate in the city that is subject to delinquent property taxes, unpaid special tax bills, or vacant building fees. A prospective bidder shall be prohibited from participating in the delinquent land tax sale if he or she has previously bid at a sheriff's sale and failed to pay bid amounts, confirm the sale, or sign a sheriff's deed. The collector or sheriff may require prospective bidders to submit an affidavit attesting to the requirements of this section and is expressly authorized to permanently preclude any prospective bidder from participating in the sale for failure to comply with this section. Notwithstanding the provisions of this section, any taxing authority or land reutilization authority shall be eligible to bid at any sale conducted under this section without making such a demonstration.** The purchaser at a sale conducted by the sheriff shall pay cash immediately at the end of bidding of each parcel on the day of the sale in an amount including all taxes then due and owing, **which may be in an amount in excess of or less than the judgment amount,** and other costs, **exclusive of any amounts for debts owed to any statutorily created sewer district** ~~[as otherwise provided by law].~~

92.835. TITLE, HOW HELD BY REUTILIZATION AUTHORITY — TITLE, HOW TAKEN BY OTHERS. — 1. The title to any real estate which shall vest in the land reutilization authority under the provisions of sections 92.700 to 92.920 shall be held by the land reutilization authority of the city in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any tax lien thereon of the United States of America, if any, and all persons, including the state of Missouri, **any taxing authority or tax district as defined herein, judgment creditors, lienholders,** minors, incapacitated and disabled persons, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser ~~;~~ ~~provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but].~~ If such parcel of real estate is sold to the land reutilization authority the title thereto shall be free of any ~~[such]~~ liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills ~~[which has attached to the parcel of real estate prior to January 1, 1972,~~

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~~but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land reutilization authority].~~

92.840. CONFIRMATION OF SALES, WHEN — PROCEEDS OF SALE, HOW APPLIED — OCCUPANCY PERMIT, DEFINED, WHEN REQUIRED, EFFECT, FAILURE TO OBTAIN, RESULT. — 1. Within six months after the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm **or set aside** the foreclosure sale of the real estate, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. Notice of the hearing shall be sent by any interested party, or the court, moving to confirm the foreclosure sale, to each person who ~~received~~ **was sent** notice of sale as specified in ~~subsection 3]~~ **subsections 4 and 5** of section 92.810 **and to any other necessary parties as required by prevailing notions of due process.** At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall immediately determine whether an adequate consideration has been paid for each such parcel. **Any parcel deemed to have been purchased by the land reutilization authority pursuant to section 92.830 shall not require any inquiry as to value. The court's judgment shall include a specific finding that adequate notice was provided to all necessary parties pursuant to prevailing notions of due process and sections 92.700 to 92.920, reciting the notice efforts of the collector, sheriff, and tax sale purchaser. Nothing in this section shall be interpreted to preclude a successful tax sale purchaser from asserting a claim to quiet title to the bid upon parcel pursuant to section 527.150.**

2. For this purpose, the court shall have power to summon any city official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, he shall confirm the sale and order the sheriff to issue a deed with restriction as provided herein to the purchaser subject to the application of an occupancy permit for all parcels as provided in subsection ~~[5]~~ **7** of this section. If the court finds that the consideration paid is inadequate, the purchaser may increase his bid to such amount as the court may deem to be adequate, whereupon the court may confirm the sale. If, however, the purchaser declines to increase his bid and make such additional payment, then the sale shall be disapproved, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale.

3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all **of the collector and sheriff's** costs including appraiser's fee and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon. If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 92.775. If any answering parties have specially appealed as provided in section 92.845, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as set out in this section and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, ~~they~~ **ten percent** shall be distributed **to the St. Louis Affordable Housing Trust Fund or equivalent of such city operating**

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under sections 92.700 to 92.920 for purposes that promote the reduction and prevention of vacant properties, blight remediation, and cleanup and maintenance of vacant property, with the remainder to be distributed to the appropriate taxing authorities.

5. Any city operating under the provisions of sections 92.700 to 92.920, by ordinance, may elect to allocate a portion of its share of the proceeds of the sheriff's sale towards a fund for the purpose of defending against claims challenging the sufficiency of notice provisions under this section.

6. For the purpose of this section, the term "occupancy permit" shall mean the certificate of ~~use and~~ inspection or occupancy permit for residential or commercial structures as provided for in the revised municipal code of any city not within a county, which now has or may hereafter have a population in excess of three hundred thousand inhabitants.

~~[6.]~~ 7. If there is a building or structure on the parcel, the purchaser shall apply for an occupancy permit from the city or appropriate governmental agency within ten days after the confirmation hearing. Any purchaser who is a public corporation acting in a governmental capacity shall not be required to acquire the occupancy permit. When a parcel, acquired at a sheriff sale, containing a building is sold from a public corporation acting in a governmental capacity, the subsequent purchaser shall be required to apply for the occupancy permit. Failure to apply for such occupancy permit within ten days after confirmation shall result in the sale and confirmation being immediately set aside by the motion of any interested party and that parcel shall again be advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff foreclosure sale.

~~[7.]~~ 8. The sheriff shall include a deed restriction in the sheriff's deed, issued after confirmation and after the application of an occupancy permit for any parcel containing a building or structure. The deed restriction shall state that the purchasers at the sheriff's sale who had the property confirmed and who applied for an occupancy permit shall obtain an occupancy permit for the building or structure from the appropriate governmental agency prior to any subsequent transfer or sale of this property. This deed restriction shall **not** exist as a lien against such real estate ~~[while the purchasers hold same in the amount of five thousand dollars]~~. The purchasers of the property at the sheriff sale who had the property confirmed and applied for the occupancy permit shall agree that in the event of their failure to obtain an occupancy permit prior to any subsequent transfer of the property, they shall pay to the sheriff the sum of five thousand dollars as fixed, liquidated and ascertained damages without proof of loss or damages. **These damages shall not constitute a lien on property, and** the sheriff shall have the discretionary power to file a lawsuit against such purchaser for collection of these liquidated damages. These liquidated damages shall be distributed on a prorated basis to the appropriate taxing authority after the sheriff deducts all costs, expenses and ~~attorney~~ attorney's fees for such lawsuits. The sheriff may employ attorneys as he deems necessary to collect liquidated damages.

9. If any sale is not confirmed within six months after the sale, any set-aside of the sale may, at the discretion of the court or collector, include a penalty of twenty-five percent of the bid amount over and above the opening bid amount, and such penalty shall be directed to the affordable housing trust fund or the equivalent, if any, of a city operating under sections 92.700 to 92.920.

10. Any interested party, other than the sheriff's sale purchaser, who moves the court to set aside a sheriff's sale after the issuance of a sheriff's deed made under the provisions of sections 92.700 to 92.920 shall be required to pay into the court the redemption amount otherwise necessary under section 92.750 prior to the court hearing any such motion to set aside. The court may hear any motion to confirm brought under the terms of this section if the redemption amount is not paid by the interested party moving the court to set aside the sale.

92.852. RECORDING FEE, SHERIFF'S DEED GIVEN PURSUANT TO MUNICIPAL LAND REUTILIZATION LAW, ASSESSED WHEN — RECORDED, WHEN. — Any sheriff's deed given

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

pursuant to the municipal land reutilization law shall be subject to a recording fee for the costs of recording the deed that shall be assessed and collected from the purchaser of the property at the same time the proceeds from the sale are collected. All such deeds shall be recorded at the office of the recorder of deeds within two months after the ~~[sheriff's deed is given]~~ **court confirms the sale, if no proceeding to set aside the confirmation judgment is before the court.**

92.855. SHERIFF'S DEED, EFFECT OF. — Each sheriff's deed given pursuant to the provisions of the municipal land reutilization law shall be ~~[presumptive]~~ **prima facie** evidence that the suit and all proceedings therein and all proceedings prior thereto from and including assessment of the lands affected thereby and all notices required by law were regular and in accordance with all provisions of the law relating thereto. ~~[After two years from the date of the recording of such sheriff's deed, the presumption shall be conclusive, unless at the time that this section takes effect the two year period since the recording of such sheriff's deed has expired, or less than six months of such period of two years remains unexpired, in which latter case the presumption shall become conclusive six months after September 28, 1971. No suit to set aside or to attack the validity of any such sheriff's deed shall be commenced or maintained unless the suit is filed prior to the time that the presumption becomes conclusive, as aforesaid.]~~

260.295. REFRIGERANTS, USE OF — BUILDING CODES NOT TO PROHIBIT IF APPROVED FOR USE UNDER FEDERAL LAW. — No building code adopted by a political subdivision shall prohibit the use of refrigerants that are approved for use under the provisions of 42 U.S.C. Section 7671k or the regulations promulgated thereunder, provided any related equipment is installed in accordance with the provisions of 42 U.S.C. Section 7671k or the regulations promulgated thereunder. Any provision of a building code that violates this section shall be null and void.

442.130. EXECUTION OF DEEDS AND OTHER CONVEYANCES. — 1. All deeds or other conveyances of lands, or of any estate or interest therein, shall be subscribed by the party granting the same, or by his lawful agent, and shall be acknowledged or proved and certified in the manner herein prescribed.

2. All written instruments conveying real estate or any interest in real estate shall state whether any natural person acting as grantors, mortgagors, or other parties executing the instrument are married or unmarried.

442.403. RESTRICTIVE COVENANTS RELATING TO DISCRIMINATION INVALID — EFFECT — NO LIABILITY BY EXISTENCE OF COVENANT IN DOCUMENT FILED BY SPECIFIC DATE. — 1. Any restrictive covenant recitals on property, real or personal, found in any deeds, plats, restrictions, covenants, or other conveyances of any type or nature, filed for record at any time in the office of the recorder of deeds in any county~~[-which relate]~~ **that relate** to the race, color, religion, or national origin of any person~~[-]~~ shall be void and unenforceable~~[-]~~ and shall be ignored, as if the same never existed.

2. Any person or legal entity with an interest in real property or any agent of such person or entity, shall not incur any liability by reason of the mere existence of a restrictive covenant described in subsection 1 of this section in any document filed for record before May 3, 1948, in any recorder of deeds' office.

3. No deed recorded on or after August 28, 2022, shall contain a reference to the specific portion of a restrictive covenant purporting to restrict the ownership or use of the property as prohibited under subsection 1 of this section. A recorder of deeds may refuse to accept any deed submitted for recording that references the specific portion of any such restrictive covenant. The person who prepares or submits a deed for recording has the responsibility of ensuring that the specific portion of such a restrictive covenant is not specifically referenced in the deed prior to

such deed being submitted for recording. A deed may include a general provision that states that such deed is subject to any and all covenants and restrictions of record; however, such provision shall not apply to the specific portion of a restrictive covenant purporting to restrict the ownership or use of the property as prohibited under subsection 1 of this section. Any deed that is recorded after August 27, 2022, that mistakenly contains such a restrictive covenant shall nevertheless constitute a valid transfer of real property.

4. Any restrictive covenant prohibited under subsection 1 of this section may be released by the owner of real property subject to such covenant by recording a certificate of release of prohibited covenants. The real property owner may record a certificate either prior to recording of a deed conveying real property to a purchaser or when such real property owner discovers that such prohibited covenant exists and chooses to affirmatively release the same. A certificate may be prepared without assistance of an attorney but shall conform substantially to the following certificate of release of prohibited covenants form:

Certificate of Release of Prohibited Covenants

Place of record: _____

Date of instrument containing prohibited covenant(s): _____

Instrument type: _____

Deed book _____ page _____ or plat book _____ page _____

Name(s) of grantor(s): _____

Name(s) of current owner(s): _____

Real property description: _____

Specific description of prohibited covenant, including a citation to the location within the instrument: _____

The covenant contained in the above-mentioned instrument is released from the above-described real property to the extent that it contains terms purporting to restrict the ownership or use of the property as prohibited by 442.403, RSMo.

The undersigned (is/are) the legal owner(s) of the property described herein.

Given under my/our hand(s) this _____ day of _____, 20__.

(Current owners)

(County/city) of _____.

State of Missouri

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary public

My commission expires: _____

442.404. POLITICAL SIGNS, HOMEOWNERS' ASSOCIATIONS NOT TO PROHIBIT — REASONABLE RESTRICTIONS AND REMOVAL PERMITTED, WHEN. — 1. As used in this section, the following terms shall mean:

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached;

(3) **"Solar panel or solar collector", a device used to collect and convert solar energy into electricity or thermal energy, including but not limited to photovoltaic cells or panels, or solar thermal systems.**

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

~~[3-]~~ (2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

~~[4-]~~ (3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) **No deed restrictions, covenants, or similar binding agreements running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the installation of solar panels or solar collectors on the rooftop of any property or structure.**

(2) A homeowners' association may adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the placement of solar panels or solar collectors to the extent that those rules do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device.

(3) The provisions of this subsection shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

4. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of sale signs on the property of a homeowner or property owner including, but not limited to, any yard on the property, or nearby street corners.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of sale signs.

(3) A homeowners' association may remove a sale sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the sale sign. Subject to the foregoing, a homeowners' association shall not remove a sale sign from the property of a homeowner or property owner or impose any fine or penalty upon the homeowner or property owner unless it has given such homeowner or property owner three business days after the homeowner or property owner receives written notice from the homeowners' association, which notice shall specifically identify the rule and the nature of the alleged violation.

SECTION B. EFFECTIVE DATE. — The repeal and reenactment of section 442.404 of this act shall become effective January 1, 2023.

Approved June 30, 2022

HB 1697

Enacts provisions relating to cottage food production operations.

AN ACT to repeal section 196.298, RSMo, and to enact in lieu thereof one new section relating to cottage food production operations.

SECTION

A Enacting clause.

196.298 Definitions — operation not deemed food service establishment, when — no state or local regulation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 196.298, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 196.298, to read as follows:

196.298. DEFINITIONS — OPERATION NOT DEEMED FOOD SERVICE ESTABLISHMENT, WHEN — NO STATE OR LOCAL REGULATION. — 1. As used in this section, the following terms shall mean:

(1) "Baked good", includes cookies, cakes, breads, danish, donuts, pastries, pies, and other items that are prepared by baking the item in an oven. A baked good does not include a potentially hazardous food item as defined by department rule;

(2) "Cottage food production operation", an individual operation out of the individual's home who:

(a) Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home; **and**

(b) ~~Has an annual gross income of fifty thousand dollars or less from the sale of food described in paragraph (a) of this subdivision; and~~

~~(e)]~~ Sells the food produced under paragraph (a) of this subdivision only directly to consumers;

(3) "Department", the department of health and senior services;

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(4) "Home", a primary residence that contains a kitchen and appliances designed for common residential usage.

2. A cottage food production operation is not a food service establishment and shall not be subject to any health or food code laws or regulations of the state or department other than this section and rules promulgated thereunder for a cottage food production operation.

3. (1) A local health department shall not regulate the production of food at a cottage food production operation.

(2) Each local health department and the department shall maintain a record of a complaint made by a person against a cottage food production operation.

4. The department shall promulgate rules requiring a cottage food production operation to label all of the foods described in this section which the operation intends to sell to consumers. The label shall include the name and address of the cottage food production operation and a statement that the food is not inspected by the department or local health department.

5. A cottage food production operation shall not sell any foods described in this section through the internet **unless both the cottage food production operation and the purchaser are located in this state.**

6. Nothing in this section shall be construed to prohibit the authority of the department of health and senior services or local health departments to conduct an investigation of a food-borne disease or outbreak.

Approved June 7, 2022

HB 1725

Enacts provisions relating to lodging establishments.

AN ACT to repeal sections 419.020 and 419.040, RSMo, and to enact in lieu thereof two new sections relating to lodging establishments.

SECTION

A Enacting clause.

419.020 Lodging establishment not liable, when.

419.040 Rates — duty to post.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 419.020 and 419.040, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 419.020 and 419.040, to read as follows:

419.020. LODGING ESTABLISHMENT NOT LIABLE, WHEN. — No lodging establishment in this state~~[, which shall]~~ **that** constantly ~~[have]~~ **has** a safe~~;~~ **or safe deposit boxes** in good order, ~~[and]~~ suitable for the safe custody of money, jewelry ~~[and]~~ , articles of gold and silver manufacture, and ~~[of]~~ the like, **behind the guest registration desk** and ~~[which shall keep]~~ **that keeps** a copy of sections 419.020 and 419.030 printed in large plain English type~~;~~ constantly and conspicuously suspended at the guest registration desk and in every guest room of the lodging establishment~~;~~ shall be liable for the loss of any such articles aforesaid, suffered by any guest, unless such guest ~~[shall have]~~ first offered to deliver such property lost by him or her to such lodging establishment~~;~~ for custody in such safe~~;~~ **or**

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safe deposit boxes and such lodging establishment ~~[shall have]~~ refused or omitted to take it and deposit it in such safe **or safe deposit boxes** for its custody and **when deposited in a safe**, to give such guest a receipt therefor.

419.040. RATES — DUTY TO POST. — It shall be the duty of every lodging establishment in this state to post a written or printed copy of the rates charged for each guest room~~[-]~~ in each guest room ~~[and, provided, that where]~~ . If a different rate is charged for different rooms in such lodging establishment the rate posted in each room shall be the rate ~~[which shall apply]~~ **that applies** to such room~~[-]~~ ~~and provided further, that]~~ . This ~~[law]~~ **section** shall not apply to lodging establishments ~~[which]~~ **that publish current rates electronically on a public internet platform or that** do not have more than ten guests on an average each day.

Approved June 7, 2022

SS SCS HB 1738

Enacts provisions relating to state designations.

AN ACT to repeal sections 9.010, 9.339, 10.095, 227.785, and 227.787, RSMo, and to enact in lieu thereof fifty-eight new sections relating to state designations.

SECTION

- A Enacting clause.
- 9.010 Public holidays.
- 9.142 Constitution Day designated for January 31.
- 9.170 Historically Black College and University Week designated for third week of September.
- 9.235 Celiac Awareness Day designated for second Wednesday in May.
- 9.236 Sickle Cell Awareness Week designated for third full week in September.
- 9.275 Myasthenia Gravis Awareness Month designated for month of June.
- 9.280 Mormon War Remembrance Day designated for July 2.
- 9.288 Hypoplastic Left Heart Syndrome Awareness Day designated for April 18.
- 9.289 Tardive Dyskinesia Awareness Week, first full week in May.
- 9.307 Farmers and Ranchers Day designated for July 20.
- 9.308 School Counseling Week designated for first full week in February.
- 9.317 Victims of Coronavirus Memorial Week designated for third full week of March.
- 9.339 Hazel Erby Day designated for September 22, 2021.
- 9.343 School Bus Drivers' Appreciation Day designated for May 10.
- 9.344 National Good Neighbor Day designated for September 28. — Missouri Good Neighbor Week designated for September 28 to October 4.
- 9.345 Polycystic Ovary Syndrome (PCOS) Awareness Day designated for month of September.
- 9.346 Uterine Fibroid Awareness Month designated for month of July.
- 9.347 Substance Abuse Awareness and Prevention Month designated for month of October.
- 9.348 Caregiver Appreciation Day designated for September 15.
- 9.349 Hispanic Heritage Month designated for September 15 to October 15.
- 9.350 Biliary Atresia Awareness Day designated for October 1.
- 9.351 Missouri Donate Life Day designated for April 16.

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Matter in bold-face type is proposed language.

- 9.352 Lupus Awareness Month designated for month of May — Lupus Awareness Day designated for May 10.
- 9.357 Triple Negative Breast Cancer Awareness month designated for month of March.
- 9.362 Sexual Assault Prevention and Awareness Day designated for June 1.
- 9.366 Problem Gambling Awareness Month designated for month of March.
- 10.095 State dinosaur.
- 10.245 Archery, official state sport.
- 227.475 Chief of Police Ferman R Raines Memorial Highway designated for portion of State Highway 17 in Pulaski County.
- 227.774 George Washington Highway designated for portion of State Highway 94 in St. Charles County.
- 227.775 Daniel Boone Highway designated for a portion of State Highway F in St. Charles County.
- 227.785 Veterans Memorial Bridge designated for a bridge on State Highway 21 in Ripley County.
- 227.787 David Dorn Memorial Highway designated for a portion of I-70 in St. Louis City.
- 227.796 WWII Henry Archie Black Memorial Bridge designated in Polk County.
- 227.807 Senator Roy Blunt Bridge designated for U.S. Highway 54 bridge in Cole and Callaway counties.
- 227.808 Police Officer Richard C Fleming Memorial Highway designated in Jackson County.
- 227.809 Atomic Veterans Memorial Highway designated for portion of State Highway 171 in Jasper County.
- 227.810 Annistyn Kate Rackley Memorial Highway designated in Pemiscot County.
- 227.811 Russell Lee Burton Memorial Highway designated in Montgomery County.
- 227.812 Firefighter Benjamin J Polson Memorial Highway designated in St. Louis County.
- 227.813 Samuel C Houston Memorial Highway designated in Clay County.
- 227.814 SP5 Billy J Meador Memorial Highway designated in St. Francois County.
- 227.815 WO1 Reginald D Cleve Memorial Highway designated in St. Francois County.
- 227.816 Police Officer Tamarris Bohannon Memorial Bridge designated for bridge on I-44 in St. Louis City.
- 227.817 Championship Way designated in Clinton and Clay counties.
- 311.028 Ozark Highlands spirits, qualification as, requirements — Single Malt, qualification as — Ozark Highlands map.
 - 1 Marine LCPL Jared Schmitz Memorial Bridge designated in St. Charles County.
 - 2 Mehlville Fire Captain Chris Francis Memorial Highway designated in St. Louis County.
 - 3 National Girls and Women in Sports Day designated as first week of February.
 - 4 Pinhook Remembrance Day designated on May second.
 - 5 Alpha Kappa Alpha Sorority Day designated on January fifteenth.
 - 6 Ethel Hedgeman Lyle Day designated on February tenth.
 - 7 Black Maternal Health Week designated on April eleventh through April seventeenth.
 - 8 Minority Health Month designated as month of April.
 - 9 Hydrocephalus Awareness Month designated as month of September.
 - 10 Scoliosis Awareness Month designated as month of June.
 - 11 Dangers of Inflation Awareness Day designated on April fifteenth.
 - 12 Epilepsy Awareness Day designated on March twenty-sixth.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 9.010, 9.339, 10.095, 227.785, and 227.787, RSMo, are repealed and fifty-eight new sections enacted in lieu thereof, to be known as sections 9.010, 9.142, 9.170, 9.235, 9.236, 9.275, 9.280, 9.288, 9.289, 9.307, 9.308, 9.317, 9.339, 9.343, 9.344, 9.345, 9.346, 9.347, 9.348, 9.349, 9.350, 9.351, 9.352, 9.357, 9.362, 9.366, 10.095, 10.245, 227.475, 227.774, 227.775, 227.785, 227.787, 227.796, 227.807, 227.808, 227.809, 227.810, 227.811, 227.812, 227.813, 227.814, 227.815, 227.816, 227.817, 311.028, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, to read as follows:

9.010. PUBLIC HOLIDAYS. — The first day of January, the third Monday of January, the twelfth day of February, the third Monday in February, the eighth day of May, the last Monday in May, **the nineteenth day of June**, the fourth day of July, the first Monday in September, the second Monday in October, the eleventh day of November, the fourth Thursday in November, and the twenty-fifth of December, are declared and established public holidays; and when any of such holidays falls upon Sunday, the Monday next following shall be considered the holiday. There shall be no holiday for state employees on the fourth Monday of October.

9.142. CONSTITUTION DAY DESIGNATED FOR JANUARY 31. — January thirty-first of every year is hereby designated as "Constitution Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the enduring brilliance of our founding charter that established a system of checks and balances designed to preserve liberty, promote prosperity, and ensure the security of our beloved country.

9.170. HISTORICALLY BLACK COLLEGE AND UNIVERSITY WEEK DESIGNATED FOR THIRD WEEK OF SEPTEMBER. — The third week of September shall be known as "Historically Black College and University Week" in Missouri. The citizens of this state are encouraged to observe the week with appropriate events and activities recognizing the importance of historically black colleges and universities, especially Lincoln University and Harris-Stowe State University, the two historically black colleges and universities located in Missouri.

9.235. CELIAC AWARENESS DAY DESIGNATED FOR SECOND WEDNESDAY IN MAY. — The second Wednesday in May shall be designated as "Celiac Awareness Day". The citizens of this state are encouraged to participate in appropriate events and activities that increase awareness of celiac disease.

9.236. SICKLE CELL AWARENESS WEEK DESIGNATED FOR THIRD FULL WEEK IN SEPTEMBER. — The third full week in September of each year shall be known and designated as "Sickle Cell Awareness Week". Sickle cell disease is a genetic disease in which a person's body produces abnormally shaped red blood cells that resemble a crescent and that do not last as long as normal round red blood cells, which leads to anemia. It is recommended to the people of the state that the week be appropriately observed through activities that will increase awareness of sickle cell disease and efforts to improve treatment options for patients.

9.275. MYASTHENIA GRAVIS AWARENESS MONTH DESIGNATED FOR MONTH OF JUNE. — The month of June is hereby designated as "Myasthenia Gravis Awareness Month" in Missouri. The citizens of this state are encouraged to celebrate the month with events and activities to raise awareness about this treatable, but progressive and difficult to diagnose, disease.

9.280. MORMON WAR REMEMBRANCE DAY DESIGNATED FOR JULY 2. — July second of each year shall be known and designated as "Mormon War Remembrance Day" in honor and recognition of the ten thousand members of the Mormon church who were subjected to injustice and undue suffering through Executive Order 44 by Governor Lilburn Boggs and the Mormon War in 1838.

9.288. HYPOPLASTIC LEFT HEART SYNDROME AWARENESS DAY DESIGNATED FOR APRIL 18. — April eighteenth of each year shall be known and designated as "Hypoplastic Left Heart Syndrome Awareness Day". Hypoplastic left heart syndrome is a critical congenital heart defect that forms during the pregnancy when portions of the left side of the baby's heart remain underdeveloped or too small. It is recommended to the people of this state that the day be appropriately observed through activities that will increase awareness of hypoplastic left heart syndrome.

9.289. TARDIVE DYSKINESIA AWARENESS WEEK, FIRST FULL WEEK IN MAY. — 1. The first full week in May each year shall be known and designated as "Tardive Dyskinesia Awareness Week". Tardive dyskinesia is a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, trunk, and extremities. The citizens of this state are encouraged to observe the week with appropriate events and activities to raise awareness of tardive dyskinesia.

2. The provisions of this section shall expire on August 28, 2026.

9.307. FARMERS AND RANCHERS DAY DESIGNATED FOR JULY 20. — July twentieth of each year shall be designated as "Farmers and Ranchers Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to recognize the positive impact farming and ranching families have on this state.

9.308. SCHOOL COUNSELING WEEK DESIGNATED FOR FIRST FULL WEEK IN FEBRUARY. — The first full week in February is hereby designated as "School Counseling Week" in the state of Missouri. Citizens of this state are encouraged to participate in appropriate events and activities that recognize the important work of school counselors in helping Missouri's students succeed in school and beyond.

9.317. VICTIMS OF CORONAVIRUS MEMORIAL WEEK DESIGNATED FOR THIRD FULL WEEK OF MARCH. — The third full week of March each year shall be known as "Victims of Coronavirus Memorial Week" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to acknowledge our collective losses during the COVID-19 pandemic by honoring the sacrifices of our first responders, those who died, those who lost loved ones, those who lost employment or a business, and all who were negatively impacted during the pandemic.

9.339. HAZEL ERBY DAY DESIGNATED FOR SEPTEMBER 22, 2021. — September [22, 2021,] **twenty-second each year** is hereby designated as "Hazel Erby Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to recognize Hazel Erby's lifelong dedication to public service and community improvement.

9.343. SCHOOL BUS DRIVERS' APPRECIATION DAY DESIGNATED FOR MAY 10. — May tenth of each year is hereby designated as "School Bus Drivers' Appreciation Day" in Missouri. Citizens of this state are encouraged to recognize the day with appropriate events and activities

to express appreciation for the dedicated bus drivers who transport children to and from school safely.

9.344. NATIONAL GOOD NEIGHBOR DAY DESIGNATED FOR SEPTEMBER 28. — MISSOURI GOOD NEIGHBOR WEEK DESIGNATED FOR SEPTEMBER 28 TO OCTOBER 4. — September twenty-eighth is hereby designated as "National Good Neighbor Day" and September twenty-eighth and the six subsequent days are hereby designated as "Missouri Good Neighbor Week" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to establish connections with their neighbors. Research shows that knowing one's neighbors reduces loneliness, crime, and isolation and leads to safer and more vibrant communities. Those who lived through the flood survived and rebuilt after the flood waters receded.

9.345. POLYCYSTIC OVARY SYNDROME (PCOS) AWARENESS DAY DESIGNATED FOR MONTH OF SEPTEMBER. — The month of September each year is hereby designated as "Polycystic Ovary Syndrome (PCOS) Awareness Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to raise awareness about PCOS, a common hormonal disorder that causes ovarian cysts, infertility, menstrual irregularity, and obesity in women.

9.346. UTERINE FIBROID AWARENESS MONTH DESIGNATED FOR MONTH OF JULY. — The month of July is hereby designated as "Uterine Fibroid Awareness Month" in Missouri. Citizens of this state are encouraged to wear white on July first and participate in appropriate events and activities to raise awareness about uterine fibroids, benign tumors that grow in the uterus and cause pain, heavy bleeding, and reproductive problems.

9.347. SUBSTANCE ABUSE AWARENESS AND PREVENTION MONTH DESIGNATED FOR MONTH OF OCTOBER. — The month of October is hereby designated as "Substance Abuse Awareness and Prevention Month" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to raise awareness about the dangers of substance abuse and the need to expand outreach and educational efforts.

9.348. CAREGIVER APPRECIATION DAY DESIGNATED FOR SEPTEMBER 15. — September fifteenth each year is hereby designated as "Caregiver Appreciation Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to recognize the efforts of home health, hospice, and unpaid relative caregivers who give care and dignity to the elderly and infirm.

9.349. HISPANIC HERITAGE MONTH DESIGNATED FOR SEPTEMBER 15 TO OCTOBER 15. — September fifteenth to October fifteenth each year shall be designated as "Hispanic Heritage Month" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to recognize the generations of Hispanic Americans who have positively influenced and enriched our state and society.

9.350. BILIARY ATRESIA AWARENESS DAY DESIGNATED FOR OCTOBER 1. — October first each year is hereby designated as "Biliary Atresia Awareness Day" in Missouri, in memory of Annistyn Kate Rackley. The citizens of this state are encouraged to participate in appropriate events and activities to raise awareness about this rare congenital liver disease that occurs when bile ducts do not develop normally.

9.351. MISSOURI DONATE LIFE DAY DESIGNATED FOR APRIL 16. — The sixteenth of April each year is hereby designated as "Missouri Donate Life Day" in the state of Missouri. The citizens of this state are encouraged to participate in appropriate activities and events to increase public awareness of the need for organ donation and organ donors.

9.352. LUPUS AWARENESS MONTH DESIGNATED FOR MONTH OF MAY — LUPUS AWARENESS DAY DESIGNATED FOR MAY 10. — The month of May and May tenth of each year are hereby designated as "Lupus Awareness Month" and "Lupus Awareness Day" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to raise awareness about the diagnosis and treatment of lupus and the impact on the lives of individuals living with lupus.

9.357. TRIPLE NEGATIVE BREAST CANCER AWARENESS MONTH DESIGNATED FOR MONTH OF MARCH. — The month of March is hereby designated as "Triple Negative Breast Cancer Awareness Month" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to improve education and awareness in underserved communities who are disproportionately impacted; ensure equitable access and affordability of breast cancer screening, genetic counseling, and diagnostic testing; and guarantee timely patient access to clinically appropriate treatment options.

9.362. SEXUAL ASSAULT PREVENTION AND AWARENESS DAY DESIGNATED FOR JUNE 1. — June first of each year is hereby designated as "Sexual Assault Prevention and Awareness Day" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to raise awareness of the many ways in which we can work together to put an end to the crime of sexual assault.

9.366. PROBLEM GAMBLING AWARENESS MONTH DESIGNATED FOR MONTH OF MARCH. — The month of March is hereby designated as "Problem Gambling Awareness Month" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to increase public awareness of problem gambling and the availability of prevention, treatment, and recovery services.

10.095. STATE DINOSAUR. — The ~~[Hypsibema]~~ **Parrosaurus** missouriensis dinosaur is hereby selected for, and shall be known as, the official dinosaur of the state of Missouri.

10.245. ARCHERY, OFFICIAL STATE SPORT. — Archery is selected for and shall be known as the official state sport. Archery was revolutionized by Missourian Holless Wilbur Allen in 1966 with his invention of the compound bow. Participation in the sport can span all ages, sizes, and abilities.

227.475. CHIEF OF POLICE FERMAN R RAINES MEMORIAL HIGHWAY DESIGNATED FOR PORTION OF STATE HIGHWAY 17 IN PULASKI COUNTY. — The portion of State Highway 17 from Broadway Street continuing south to Dogwood Drive through the city of Waynesville in Pulaski County shall be designated the "Chief of Police Ferman R Raines Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.774. GEORGE WASHINGTON HIGHWAY DESIGNATED FOR PORTION OF STATE HIGHWAY 94 IN ST. CHARLES COUNTY. — The portion of State Highway 94 from State Highway TT to State Highway F in St. Charles County shall be designated as "George

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Matter in bold-face type is proposed language.

Washington Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.775. DANIEL BOONE HIGHWAY DESIGNATED FOR A PORTION OF STATE HIGHWAY F IN ST. CHARLES COUNTY. — The portion of State Highway F from State Highway 94 continuing west to Femme Osage Creek Road in St. Charles County shall be designated as "Daniel Boone Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.785. VETERANS MEMORIAL BRIDGE DESIGNATED FOR A BRIDGE ON STATE HIGHWAY 21 IN RIPLEY COUNTY. — The bridge on State Highway 21 crossing over the Current River in Ripley County shall be designated as "**Ripley County** Veterans Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.787. DAVID DORN MEMORIAL HIGHWAY DESIGNATED FOR A PORTION OF I-70 IN ST. LOUIS CITY. — The portion of Interstate 70 from Shreve Road continuing to Kingshighway Boulevard shall be designated as "**Captain** David Dorn Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.796. WWII HENRY ARCHIE BLACK MEMORIAL BRIDGE DESIGNATED IN POLK COUNTY. — The bridge on State Highway P crossing over Lindley Creek in Polk County shall be designated the "WWII Henry Archie Black Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.807. SENATOR ROY BLUNT BRIDGE DESIGNATED FOR U.S. HIGHWAY 54 BRIDGE IN COLE AND CALLAWAY COUNTIES. — The bridge on U.S. Highway 54 crossing the Missouri River at Jefferson City in Cole and Callaway counties shall be designated the "Senator Roy Blunt Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.808. POLICE OFFICER RICHARD C FLEMING MEMORIAL HIGHWAY DESIGNATED IN JACKSON COUNTY. — The portion of Interstate 435 from the Kansas/Missouri state line continuing to Holmes Road in Jackson County shall be designated the "Police Officer Richard C Fleming Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.809. ATOMIC VETERANS MEMORIAL HIGHWAY DESIGNATED FOR PORTION OF STATE HIGHWAY 171 IN JASPER COUNTY. — The portion of State Highway 171 from State Highway Z continuing to State Highway 43 in Jasper County shall be designated the "Atomic Veterans Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donation.

227.810. ANNISTYN KATE RACKLEY MEMORIAL HIGHWAY DESIGNATED IN PEMISCOT COUNTY. — The portion of State Highway J from CST Service Road continuing west to State Highway U in Pemiscot County shall be designated the "Annistyn Kate Rackley Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.811. RUSSELL LEE BURTON MEMORIAL HIGHWAY DESIGNATED IN MONTGOMERY COUNTY. — The portion of State Highway 19 from Strube Road continuing north to Kimmich Road in Montgomery County shall be designated the "Russell Lee Burton Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.812. FIREFIGHTER BENJAMIN J POLSON MEMORIAL HIGHWAY DESIGNATED IN ST. LOUIS COUNTY. — The portion of State Highway P from State Highway 30 continuing north to State Highway 366 in St. Louis County shall be designated the "Firefighter Benjamin J Polson Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.813. SAMUEL C HOUSTON MEMORIAL HIGHWAY DESIGNATED IN CLAY COUNTY. — The portion of State Highway 291 from N.E. Cookingham Drive continuing south to Kansas Street in Clay County shall be designated the "Samuel C Houston Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.814. SP5 BILLY J MEADOR MEMORIAL HIGHWAY DESIGNATED IN ST. FRANCOIS COUNTY. — The portion of U.S. 67 from Maple Street continuing to Perrine Road through the city of Farmington in St. Francois County shall be designated the "SP5 Billy J Meador Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.815. WO1 REGINALD D CLEVE MEMORIAL HIGHWAY DESIGNATED IN ST. FRANCOIS COUNTY. — The portion of U.S. 67 from Perrine Road continuing to Highway H through the city of Farmington in St. Francois County shall be designated the "WO1 Reginald D Cleve Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.816. POLICE OFFICER TAMARRIS BOHANNON MEMORIAL BRIDGE DESIGNATED FOR BRIDGE ON I-44 IN ST. LOUIS CITY. — The bridge on Interstate 44 crossing over Hampton Avenue in St. Louis City shall be designated as "Police Officer Tamarris Bohannon Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.817. CHAMPIONSHIP WAY DESIGNATED IN CLINTON AND CLAY COUNTIES. — The portion of U.S. Highway 169 from State Highway VV continuing to State Highway DD in Clinton and Clay Counties shall be designated the "Championship Way". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations. This designation shall expire on December 31, 2022.

311.028. OZARK HIGHLANDS SPIRITS, QUALIFICATION AS, REQUIREMENTS — SINGLE MALT, QUALIFICATION AS — OZARK HIGHLANDS MAP. — 1. (1) To qualify as "Ozark Highlands" spirits, and to be labeled as such for sale in Missouri, a product shall meet the following conditions:

- (a) The product shall be mashed, fermented, distilled, aged, and bottled in the Ozark Highlands region;
- (b) The product shall be aged in barrels manufactured from Missouri;

(c) The water source shall be untreated or natural from natural springs or deep wells in the Ozark Highlands, and without chlorination or added chemicals such as fluoride; and

(d) The minimum age of a whiskey shall be four years.

(2) To qualify as "Ozark Highlands" spirits, and to be labeled as such for sale in Missouri, an unaged product, such as gin or vodka, shall meet the following conditions:

(a) The product shall be mashed, fermented, distilled, and bottled in the Ozark Highlands region; and

(b) The water source shall be untreated or natural from natural springs or deep wells in the Ozark Highlands, and without chlorination or added chemicals such as fluoride.

2. To additionally qualify as "Single Malt", the final product shall be distilled and bottled at a single distillery.

3. The product shall be further certified, by seal or other means, by the "Ozark Highland Distillers Guild" as a qualifying "Ozark Highlands" product.

4. For the purposes of this section, the Missouri department of natural resources shall produce, in collaboration with the "Ozark Highland Distillers Guild", and publish an official map of the "Ozark Highlands" region.

SECTION 1. MARINE LCPL JARED SCHMITZ MEMORIAL BRIDGE DESIGNATED IN ST. CHARLES COUNTY. — The newly constructed bridge on the CST David Hoeckel Parkway that crosses over Interstate 70 in Wentzville in St. Charles County shall be designated as "Marine LCPL Jared Schmitz Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

SECTION 2. MEHLVILLE FIRE CAPTAIN CHRIS FRANCIS MEMORIAL HIGHWAY DESIGNATED IN ST. LOUIS COUNTY. — The portion of State Highway 231 (Telegraph Rd.) from PVT Tori Pines Drive continuing to Meadow Haven Lane in St. Louis County shall be designated as "Mehlville Fire Captain Chris Francis Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donation.

SECTION 3. NATIONAL GIRLS AND WOMEN IN SPORTS DAY DESIGNATED AS FIRST WEEK OF FEBRUARY. — The first week of February is hereby designated as "National Girls and Women in Sports Day" in Missouri. Citizens of this state are encouraged to recognize the day with appropriate events and activities to express appreciation for girls and women in sports.

SECTION 4. PINHOOK REMEMBRANCE DAY DESIGNATED ON MAY SECOND. — May second of each year is hereby designated as "Pinhook Remembrance Day" in Missouri. Citizens of this state are encouraged to recognize the day with appropriate events and activities to honor the struggles and triumphs of the villagers of Pinhook, Missouri.

SECTION 5. ALPHA KAPPA ALPHA SORORITY DAY DESIGNATED ON JANUARY FIFTEENTH. — January fifteenth of every year is hereby designated as "Alpha Kappa Alpha Sorority Day" in Missouri. Founded on January 15, 1908, at the historically black Howard University in Washington, D.C., Alpha Kappa Alpha is the first intercollegiate historically African-American sorority. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the contributions of Alpha Kappa Alpha.

SECTION 6. ETHEL HEDGEMAN LYLE DAY DESIGNATED ON FEBRUARY TENTH. — February tenth of every year is hereby designated as "Ethel Hedgeman Lyle Day" in Missouri.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter in bold-face type is proposed language.

Born in St. Louis, Missouri, Ethel Hedgeman Lyle founded Alpha Kappa Alpha, the first intercollegiate historically African-American sorority. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the contributions of Ethel Hedgeman Lyle.

SECTION 7. BLACK MATERNAL HEALTH WEEK DESIGNATED ON APRIL ELEVENTH THROUGH APRIL SEVENTEENTH. — April eleventh through April seventeenth of each year is hereby designated as "Black Maternal Health Week". The citizens of this state are encouraged to engage in appropriate events and activities to commemorate black maternal health.

SECTION 8. MINORITY HEALTH MONTH DESIGNATED AS MONTH OF APRIL. — The month of April of each year is hereby designated as "Minority Health Month". The citizens of this state are encouraged to engage in appropriate events and activities to commemorate minority health month.

SECTION 9. HYDROCEPHALUS AWARENESS MONTH DESIGNATED AS MONTH OF SEPTEMBER. — The month of September is hereby designated as "Hydrocephalus Awareness Month" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities so that Missourians can become more familiar with hydrocephalus and the individuals dedicated to finding its cure.

SECTION 10. SCOLIOSIS AWARENESS MONTH DESIGNATED AS MONTH OF JUNE. — The month of June of each year is hereby designated as "Scoliosis Awareness Month". The citizens of this state are encouraged to engage in appropriate events and activities to encourage screening for and increase awareness of scoliosis.

SECTION 11. DANGERS OF INFLATION AWARENESS DAY DESIGNATED ON APRIL FIFTEENTH. — April fifteenth of every year is hereby designated as "Dangers of Inflation Awareness Day" in Missouri. The citizens of this state are encouraged to be mindful of the dangers of monetary inflation and the detrimental effects of monetary inflation on our economy.

SECTION 12. EPILEPSY AWARENESS DAY DESIGNATED ON MARCH TWENTY-SIXTH. — March twenty-sixth of each year is hereby designated as "Epilepsy Awareness Day". The citizens of this state are encouraged to participate in appropriate activities and events to increase awareness of epilepsy and its related symptoms.

Approved July 1, 2022

SS SCS HB 1878

Enacts provisions relating to elections, with penalty provisions.

AN ACT to repeal sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.155, 115.157, 115.160, 115.163, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765,

115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, and to enact in lieu thereof forty-six new sections relating to elections, with penalty provisions.

SECTION

- A Enacting clause.
- 28.960 Registered voter lists, audit of — authorized — requirements.
- 115.004 Election laws, restriction on amendment of, when.
- 115.013 Definitions.
- 115.022 Private moneys, expenditure of, prohibited — in-kind donations permitted — private moneys distributed, when.
- 115.045 Boards may employ staff.
- 115.051 County clerk may employ election staff and fix compensation.
- 115.081 Number of judges to be appointed, supervisory judges, duties of.
- 115.085 Qualifications of election judges.
- 115.105 Challengers, how selected, qualifications — challenges, when made — challengers may collect certain information at presidential primary elections — challenges, how made.
- 115.123 Public elections to be held on certain Tuesdays, exceptions — presidential primary, when held — exemptions.
- 115.135 Persons entitled to register, when — identification required — military service, registration, when.
- 115.151 Registration complete, when.
- 115.155 Registration — oath.
- 115.157 Registration information may be computerized, information required — voter lists may be sold — candidates may receive list for reasonable fee — computerized registration system, requirements — voter history and information, how entered, when released — records closed, when.
- 115.160 Driver's license applicants to receive voter registration application, contents — rules — forwarding of application to election authority, when — documentation required.
- 115.163 Precinct register required — voter identification cards, procedures and uses — list of registered voters available, fee.
- 115.165 Transfer of registration, how, when — procedure.
- 115.168 Party affiliation change, procedure.
- 115.205 Voter registration solicitors, registration — required information — oath — penalty, acceptance of applications.
- 115.225 Automated equipment to be approved by secretary of state — standards to be met — rules, promulgation, procedure.
- 115.237 Ballots, contents of — straight political party ticket voting prohibited — rulemaking authority.
- 115.257 Electronic voting machines to be put in order, procedure to be followed — absentee ballots, procedure — on-site storage of voting machines permitted.
- 115.275 Definitions relative to absentee ballots.
- 115.277 Persons eligible to vote absentee — at-risk category defined.
- 115.279 Application for absentee ballot, how made.
- 115.283 Statements of absentee voters or persons providing assistance to absentee voters — forms — notary seal not required, when — charges by notaries, limitations.
- 115.285 Secretary of state may prescribe regulations as to printing absentee ballot and mailing envelopes, no cost to voter.
- 115.286 Absentee ballots deemed cast, when.
- 115.287 Absentee ballot, how delivered.
- 115.291 Procedure for absentee ballots — declared emergencies, delivery and return of ballots — envelopes, refusal to accept ballot prohibited when.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

- 115.302 Mail-in ballots — application — deadline, storage of ballots — ballot envelope requirements — statement form — delivery of ballots — procedures for voting, return of ballot, death of voter, and processing of ballots — termination date.
- 115.349 Time for filing of a declaration of candidacy — form of declaration.
- 115.351 Candidate may not file for more than one office, exception, presidential primary, also prohibited from filing for the same office on more than one ticket at the same election.
- 115.417 Voter instruction cards to be delivered to polls — instructions and sample ballot to be posted, how.
- 115.427 Personal identification, requirements--statement for voters without required personal identification, procedure--provisional ballot, when--form of statement--notice of requirements--report--precinct register requirements--mark in lieu of signature, when--contingent effective date.
- 115.435 Voter to proceed to voting booth, when.
- 115.447 Definitions.
- 115.628 Voter registration records — notification of registered voters of party affiliation opportunities — declaration of party affiliation.
- 115.652 Mail-in voting may be conducted, when, limitations.
- 115.755 Presidential primary, when held.
- 115.758 Official list of candidates announced, when.
- 115.761 Official list of candidates, how included, filing fee — name removed, how — ballot form, content.
- 115.765 Certified list of candidates, order of appearance on ballot, procedure.
- 115.767 Names to appear on ballot.
- 115.770 Conduct of primary.
- 115.773 Duty to notify state chair of parties.
- 115.776 Caucuses, delegates for national conventions.
- 115.785 Costs of primary to be paid by state, exceptions.
- 115.902 Definitions.
- 115.904 Applicability.
- 115.960 Electronic signatures accepted, when — system to be used — inapplicability — petitions, authorized signatures — confidentiality of data.
 - 1 Severability clause.
 - 2 Public officials cannot enter into a compromise, settlement, condition or order which conflicts with any provisions of Chapters 115 and 128.
 - 3 Audits required by subsection 6 of section 115.225 conducted by secretary of state shall be solely paid for by state and federal funding.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.155, 115.157, 115.160, 115.163, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, are repealed and forty-six new sections enacted in lieu thereof, to be known as sections 28.960, 115.004, 115.013, 115.022, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.155, 115.157, 115.160, 115.163, 115.165, 115.168, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.628, 115.652, 115.776, 115.902, 115.904, 115.960, 1, 2, and 3, to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

28.960. REGISTERED VOTER LISTS, AUDIT OF — AUTHORIZED — REQUIREMENTS. — 1. The secretary of state shall have the authority to, at his or her discretion, audit the list of registered voters for any local election authority to ensure accuracy.

2. Any audit conducted by the secretary of state shall, at least quarterly, determine whether the local election authority has performed the following voter registration list maintenance activities, as required by law:

(1) Sending verification notices in accordance with section 115.155; and

(2) Registering voters and removing names from the voter registration system in accordance with section 115.158.

3. After completing the audit, the secretary of state shall notify the local election authority in writing of any maintenance updates that are required and shall advise the local election authority they have ninety days to make required updates. If, after ninety days, the secretary of state determines that the local election authority has not performed the required maintenance of voter registration lists as required by law, the secretary of state's office may withhold transaction funds associated with maintenance of the voter registration lists from the local election authority.

115.004. ELECTION LAWS, RESTRICTION ON AMENDMENT OF, WHEN. — The sections of this chapter and all related rules and regulations shall not be amended or modified in any manner in the twenty-six weeks preceding any presidential election.

115.013. DEFINITIONS. — As used in this chapter, unless the context clearly implies otherwise, the following terms mean:

(1) "Air-gap" or "air-gapped", a security measure in which equipment is physically and technically isolated from any network and is not directly connected to the internet nor is it connected to any other system that is connected to the internet. Data can only be passed to an air-gapped device physically via a USB or other removable media;

(2) "Automatic tabulating equipment", the apparatus necessary to examine and automatically count votes, and the data processing machines which are used for counting votes and tabulating results **and which are air-gapped and not physically able to be connected to a network;**

~~[(2)]~~ (3) "Ballot", the ~~[ballot card]~~ paper ballot, or ballot designed for use with an electronic voting system on which each voter may cast all votes to which he or she is entitled at an election;

~~[(3)] "Ballot card", a ballot which is voted by making a mark which can be tabulated by automatic tabulating equipment; —~~

(4) "Ballot label", the card, paper, booklet, page, or other material containing the names of all offices and candidates and statements of all questions to be voted on;

(5) "Counting location", a location selected by the election authority for the automatic processing or counting, or both, of ballots;

(6) "County", any county in this state or any city not within a county;

(7) "Disqualified", a determination made by a court of competent jurisdiction, the Missouri ethics commission, an election authority or any other body authorized by law to make such a determination that a candidate is ineligible to hold office or not entitled to be voted on for office;

(8) "District", an area within the state or within a political subdivision of the state from which a person is elected to represent the area on a policy-making body with representatives of other areas in the state or political subdivision;

(9) "Electronic voting machine", any part of an **air-gapped** electronic voting system on which a voter is able to cast a ballot under this chapter;

(10) "Electronic voting system", a system of casting votes by use of marking devices, and counting votes by use of automatic **air-gapped** tabulating or **air-gapped** data processing equipment, including computerized voting systems **that mark or tabulate ballots;**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(11) "Established political party" for the state, a political party which, at either of the last two general elections, polled for its candidate for any statewide office more than two percent of the entire vote cast for the office. "Established political party" for any district or political subdivision shall mean a political party which polled more than two percent of the entire vote cast at either of the last two elections in which the district or political subdivision voted as a unit for the election of officers or representatives to serve its area;

(12) "Federal office", the office of presidential elector, United States senator, or representative in Congress;

(13) "Independent", a candidate who is not a candidate of any political party and who is running for an office for which political party candidates may run;

(14) "Major political party", the political party whose candidates received the highest or second highest number of votes at the last general election;

(15) "Marking device", any ~~approved~~ device **approved by the secretary of state under section 115.225** which will enable the votes to be counted by automatic tabulating equipment;

(16) "Municipal" or "municipality", a city, village, or incorporated town of this state;

(17) "New party", any political group which has filed a valid petition and is entitled to place its list of candidates on the ballot at the next general or special election;

(18) "Nonpartisan", a candidate who is not a candidate of any political party and who is running for an office for which party candidates may not run;

(19) "Political party", any established political party and any new party;

(20) "Political subdivision", a county, city, town, village, or township of a township organization county;

(21) "Polling place", the voting place designated for all voters residing in one or more precincts for any election;

(22) "Precincts", the geographical areas into which the election authority divides its jurisdiction for the purpose of conducting elections;

(23) "Public office", any office established by constitution, statute or charter and any employment under the United States, the state of Missouri, or any political subdivision or special district thereof, but does not include any office in the Missouri state defense force or the National Guard or the office of notary public or city attorney in cities of the third classification or cities of the fourth classification;

(24) "Question", any measure on the ballot which can be voted "YES" or "NO";

(25) "Relative within the second degree by consanguinity or affinity", a spouse, parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-in-law, or son-in-law;

(26) "Special district", any school district, water district, fire protection district, hospital district, health center, nursing district, or other districts with taxing authority, or other district formed pursuant to the laws of Missouri to provide limited, specific services;

(27) "Special election", elections called by any school district, water district, fire protection district, or other district formed pursuant to the laws of Missouri to provide limited, specific services; and

(28) "Voting district", the one or more precincts within which all voters vote at a single polling place for any election.

115.022. PRIVATE MONEYS, EXPENDITURE OF, PROHIBITED — IN-KIND DONATIONS PERMITTED — PRIVATE MONEYS DISTRIBUTED, WHEN. — 1. Except as provided in subsection 5 of this section, neither the state of Missouri nor any political subdivision thereof that conducts elections shall receive or expend private moneys, excluding in-kind donations, for preparing, administering, or conducting an election, including registering voters.

2. Notwithstanding subsection 1 of this section to the contrary, in-kind donations shall not be received from any candidate, candidate committee, campaign committee, or continuing committee, as such terms are defined in chapter 130.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

3. For purposes of this section, "in-kind donations" shall only include:

- (1) Personal protective equipment;
- (2) Water;
- (3) Locations at which an election may be conducted; and
- (4) Food for an election authority, staff of an election authority, election judges, watchers, and challengers.

4. The secretary of state is authorized to withhold funds from an election authority in violation of this section unless such funding is a federal mandate or part of a federal and state agreement.

5. In any even-numbered year in which the amount of state funds appropriated to proportionally compensate counties pursuant to sections 115.063 and 115.065 is less than the amount of such funds that were appropriated in the previous even-numbered year, private moneys may be received by the secretary of state to disburse to counties based on the amount of registered voters in each county. The amount of private moneys that may be received by the secretary of state shall not exceed the difference between the amount of state funds appropriated in the previous even-numbered year and the amount appropriated in the pending even-numbered year, plus ten percent of the total amount that was appropriated in the previous even-numbered year.

115.045. BOARDS MAY EMPLOY STAFF. — Each election authority shall have the authority to employ such attorneys and other employees as may be necessary to promptly and correctly perform the duties of the election authority. Where an electronic voting system or voting machines are used, the election authority shall designate competent employees to have custody of and supervise maintenance of the voting equipment. Board of election commissioners' employees shall be subject to the same restrictions and subscribe the same oath as members of the board of election commissioners, except that no employee of a board of election commissioners shall be required to post bond **or reside and be a registered voter within the jurisdiction of the election authority** unless directed to do so by the board. Employee oaths and any bonds shall be filed and preserved in the office of the board.

115.051. COUNTY CLERK MAY EMPLOY ELECTION STAFF AND FIX COMPENSATION. — 1. In each county which does not have a board of election commissioners, the county clerk shall have the right to employ such deputies and assistants as are necessary to promptly and correctly register voters and conduct elections. Where an electronic voting system or voting machines are used, the county clerk shall designate competent employees to have custody of and supervise maintenance of the voting equipment. Each deputy shall be subject to the same restrictions and subscribe the same oath as the county clerk, except that no employee shall be required to post bond **or reside and be a registered voter within the jurisdiction of the election authority** unless directed to do so by the clerk. Employee oaths and any bonds shall be filed and preserved in the office of the county clerk.

2. Within the total amount for deputies and assistants approved by the county commission, the salary of each deputy and assistant shall be set by the county clerk.

115.081. NUMBER OF JUDGES TO BE APPOINTED, SUPERVISORY JUDGES, DUTIES OF. — 1. Each election authority shall appoint election judges for each polling place within its jurisdiction in accordance with the provisions of this section.

2. In all primary and general elections, the election authority shall appoint at least two judges from each major political party to serve at each polling place. **The committee of each major political party within the jurisdiction of an election authority is authorized to provide the election authority with a list of election judge candidates who meet the requirements under section 115.085. The candidates shall not be required to reside within the jurisdiction of the election authority, as**

authorized under section 115.085. If a committee of a major political party within the jurisdiction of an election authority fails to provide the prescribed number of qualified names to fill all election judge positions before the date established by the election authority, the election authority may select judges to fill the positions as provided by law. If the election authority determines that a name submitted by a committee of a major political party is not qualified to serve as an election judge, the election authority shall allow the party to submit another name before filling the position as provided by law. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party.

3. In any election that is not a primary or general election, the election authority shall appoint at least one judge from each major political party to serve at each polling place. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party.

4. The election authority shall designate two of the judges appointed for each polling place, one from each major political party, as supervisory judges. Supervisory judges shall be responsible for the return of election supplies from the polling place to the election authority and shall have any additional duties prescribed by the election authority.

5. Election judges may be employed to serve for the first half or last half of any election day. Such judges shall be paid one-half the regular rate of pay. If part-time judges are employed, the election authority shall employ such judges and shall see that a sufficient number for each period are present at all times so as to have the proper total number of judges present at each polling place throughout each election day. The election authority shall require that at each polling place at least one election judge from each political party serve a full day and that at all times during the day there be an equal number of election judges from each political party.

6. An election authority may appoint additional election judges representing other established political parties and additional election judges who do not claim a political affiliation. Any question which requires a decision by the majority of judges shall only be made by the judges from the major political parties.

115.085. QUALIFICATIONS OF ELECTION JUDGES. — No person shall be appointed to serve as an election judge who is not a registered voter in this state ~~[- provided that, before any election authority may appoint judges who are registered voters of another election authority's jurisdiction, the election authority shall obtain the written consent of the election authority for the jurisdiction where the prospective judges are registered to vote].~~ Each election judge shall be a person of good repute and character who can speak, read, and write the English language. No person shall serve as an election judge at any polling place in which his or her name or the name of a relative within the second degree, by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed candidate shall be disqualified from serving as an election judge in any election jurisdiction of the state. No election judge shall, during his or her term of office, hold any other elective public office, other than as a member of a political party committee or township office, except any person who is elected to a board or commission of a political subdivision or special district may serve as an election judge except at a polling place where such political subdivision or special district has an issue or candidate on the ballot. In any county having a population of less than two hundred fifty thousand inhabitants, any candidate for the county committee of a political party who is not a candidate for any other office and who is unopposed for election as a member of the committee shall not be disqualified from serving as an election judge.

115.105. CHALLENGERS, HOW SELECTED, QUALIFICATIONS — CHALLENGES, WHEN MADE — CHALLENGERS MAY COLLECT CERTAIN INFORMATION AT PRESIDENTIAL PRIMARY

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

ELECTIONS — CHALLENGES, HOW MADE. — 1. The chair of the county committee of each political party named on the ballot shall have the right to designate a challenger for each polling place, who may be present until all ballots are cast on the day of election, and a challenger for each location at which absentee ballots are counted, who may be present while the ballots are being prepared for counting and counted. No later than four business days before the election, the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated challengers and substitutes to the local election authority for confirmation of eligibility to serve as a challenger. The local election authority, after verifying the eligibility of each designated and substitute challenger, shall sign off on the official designation forms, unless the challenger is found not to have the qualifications established by subsection 5 of this section. If the election authority determines that a challenger does not meet the qualifications of subsection 5 of this section, the designating party chair may designate a replacement challenger and provide the local election authority with the name of the replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute challengers at his or her discretion during such hours.

2. Challenges may only be made when the challenger believes the election laws of this state have been or will be violated, and each challenger shall report any such belief to the election judges, or to the election authority if not satisfied with the decision of the election judges.

3. Prior to the close of the polls, challengers may list and give out the names of those who have voted. The listing and giving out of names of those who have voted by a challenger shall not be considered giving information tending to show the state of the count.

4. ~~[In a presidential primary election, challengers may collect information about the party ballot selected by the voter and may disclose party affiliation information after the polls close.~~

~~5.]~~ All persons selected as challengers shall have the same qualifications required by section 115.085 for election judges, except that such challenger shall be a registered voter in the jurisdiction of the election authority for which the challenger is designated as a challenger.

~~[6.]~~ 5. Any challenge by a challenger to a voter's identification for validity shall be made only to the election judges or other election authority. If the poll challenger is not satisfied with the decision of the election judges, then he or she may report his or her belief that the election laws of this state have been or will be violated to the election authority as allowed under this section.

115.123. PUBLIC ELECTIONS TO BE HELD ON CERTAIN TUESDAYS, EXCEPTIONS — PRESIDENTIAL PRIMARY, WHEN HELD — EXEMPTIONS. — 1. All public elections shall be held on Tuesday. Except as provided in subsections 2 and 3 of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in November, or on another day expressly provided by city or county charter, and in nonprimary years on the first Tuesday after the first Monday in August. Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.

2. ~~[Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the second Tuesday after the first Monday in March of each presidential election year.~~

~~3.]~~ The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting;
- (3) Special elections to fill vacancies and to decide tie votes or election contests; and
- (4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

~~[4.]~~ 3. Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

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~~[5.]~~ 4. Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter.

115.135. PERSONS ENTITLED TO REGISTER, WHEN — IDENTIFICATION REQUIRED — MILITARY SERVICE, REGISTRATION, WHEN. — 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the ~~[jurisdiction of his or her residence]~~ **state of Missouri** no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, ~~[an intrastate new resident,]~~ a new resident, or a covered voter, as defined in section 115.275. ~~[Except as provided in subsection 4 of this section, in no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election.]~~ Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence ~~[prior to the deadline to register to vote].~~

4. A covered voter as defined in section 115.275 who has been discharged from military service, has returned from a military deployment or activation, or has separated from employment outside the territorial limits of the United States after the deadline to register to vote, and who is otherwise qualified to register to vote, may register to vote in an election in person before the election authority until 5:00 p.m. on the Friday before such election. Such persons shall produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.

115.151. REGISTRATION COMPLETE, WHEN. — 1. Each qualified applicant who appears before the election authority shall be deemed registered as of the time the applicant's completed, signed and sworn registration application is witnessed by the election authority or deputy registration official.

2. Each applicant who registers by mail shall be deemed to be registered as of the date the application is postmarked, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service.

3. Each applicant who registers at a voter registration agency or the division of motor vehicle and drivers licensing of the department of revenue shall be deemed to be registered as of the date the application is signed by the applicant, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service. Voter registration agencies ~~[and the division of motor vehicle and drivers licensing of the department of revenue]~~ shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant. **The division of motor vehicle and drivers licensing of the department of revenue shall transmit voter registration application forms to the appropriate election authority not later than three business days after the form is completed by the applicant.**

115.155. REGISTRATION — OATH. — 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form:

APPLICATION FOR REGISTRATION

Are you a citizen of the United States?

☐ YES

☐ NO

Will you be 18 years of age on or before election day?

☐ YES

☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT, OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL IDENTIFICATION.

Township (or Ward)

Name

Precinct

Home Address

Required Personal
Identification
Information

City ZIP

Date of Birth

Place of Birth
Optional

Telephone Number
(Optional)

Mother's Maiden
Name (Optional)

Occupation (Optional)

Last Place Previously
Registered

Under What Name

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Last four digits of Social Security Number (Required for registration unless no Social Security number exists for Applicant)

Remarks:

When _____

Political Party Affiliation
(OPTIONAL: You shall be unaffiliated unless you designate an affiliation.)

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief.

I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.

Signature of Voter

Date

Signature of Election Official

2. The options for political party affiliation required by the application described in subsection 1 of this section shall include all established political parties and an option to be unaffiliated. If an applicant does not designate an affiliation, the election authority shall mark the applicant's form as unaffiliated.

3. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

[3-] 4. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification

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notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

~~[4.]~~ **5.** If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may file a complaint with the elections division of the secretary of state's office under and pursuant to section 115.219. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

~~[5.]~~ **6.** The secretary of state shall prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

~~[6.]~~ **7.** All voter registration applications shall be preserved in the office of the election authority.

115.157. REGISTRATION INFORMATION MAY BE COMPUTERIZED, INFORMATION REQUIRED — VOTER LISTS MAY BE SOLD — CANDIDATES MAY RECEIVE LIST FOR REASONABLE FEE — COMPUTERIZED REGISTRATION SYSTEM, REQUIREMENTS — VOTER HISTORY AND INFORMATION, HOW ENTERED, WHEN RELEASED — RECORDS CLOSED, WHEN.

— 1. The election authority may place all information on any registration cards in computerized form in accordance with section 115.158. No election authority or secretary of state shall furnish to any member of the public electronic media or printout showing any registration information, except as provided in this section. Except as provided in subsection 2 of this section, the election authority or secretary of state shall make available electronic media or printouts showing **only** unique voter identification numbers, voters' names, ~~[dates]~~ **year** of birth, addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the following separate fields:

- (1) Voter identification number;
- (2) First name;
- (3) Middle initial;
- (4) Last name;
- (5) Suffix;
- (6) Street number;
- (7) Street direction;
- (8) Street name;
- (9) Street suffix;
- (10) Apartment number;
- (11) City;
- (12) State;
- (13) Zip code;
- (14) Township;
- (15) Ward;
- (16) Precinct;
- (17) Senatorial district;
- (18) Representative district;
- (19) Congressional district; **and**
- (20) Political party affiliation.**

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2. All election authorities shall enter voter history in their computerized registration systems and shall, not more than ~~[six]~~ **three** months after the election, forward such data to the Missouri voter registration system established in section 115.158. In addition, election authorities shall forward registration and other data in a manner prescribed by the secretary of state to comply with the Help America Vote Act of 2002.

3. Except as provided in subsection 6 of this section, the election authority shall furnish, for a fee, electronic media or a printout showing **only** the names, ~~[dates]~~ **year** of birth ~~[and]~~, addresses, **and political party affiliations** of voters, or any part thereof, within the jurisdiction of the election authority who voted in any specific election, including primary elections, by township, ward or precinct, provided that nothing in this chapter shall require such voter information to be released to the public over the internet **and shall not be used for commercial purposes**.

4. Except as provided in subsection 6 of this section, upon a request by a candidate, a duly authorized representative of a campaign committee, or a political party committee, the secretary of state shall furnish, for a fee determined by the secretary of state and in compliance with section 610.026, media in an electronic format or, if so requested, in a printed format, showing the names, addresses, and voter identification numbers of voters within the jurisdiction of a specific election authority who applied for an absentee ballot under section 115.279 for any specific election involving a ballot measure or an office for which the declaration of candidacy is required to be filed with the secretary of state pursuant to section 115.353, including primary elections, by township, ward, or precinct. Nothing in this section shall require such voter information to be released to the public over the internet. For purposes of this section, the terms "candidate", "campaign committee", and "political party committee" shall have the same meaning given to such terms in section 130.011.

5. The amount of fees charged for information provided in this section shall be established pursuant to chapter 610. All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account established pursuant to section 28.160. In even-numbered years, each election authority shall, upon request, supply the voter registration list for its jurisdiction to all candidates and party committees for a charge established pursuant to chapter 610. Except as provided in subsection 6 of this section, all election authorities shall make the information described in this section available pursuant to chapter 610. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610.

6. Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in witness protection programs, and victims of domestic violence and abuse who have received orders of protection pursuant to chapter 455 shall be entitled to apply to the circuit court having jurisdiction in his or her county of residence to have the residential address on his or her voter registration records closed to the public if the release of such information could endanger the safety of the person. Any person working as an undercover agent or in a witness protection program shall also submit a statement from the chief executive officer of the agency under whose direction he or she is serving. The petition to close the residential address shall be incorporated into any petition for protective order provided by circuit clerks pursuant to chapter 455. If satisfied that the person filing the petition meets the qualifications of this subsection, the circuit court shall issue an order to the election authority to keep the residential address of the voter a closed record and the address may be used only for the purposes of administering elections pursuant to this chapter. The election authority may require the voter who has a closed residential address record to verify that his or her residential address has not changed or to file a change of address and to affirm that the reasons contained in the original petition are still accurate prior to receiving a ballot. A change of address within an election authority's jurisdiction shall not require that the voter file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his or her residential address as a closed record shall notify the circuit court. Upon such

notification, the circuit court shall void the order closing the residential address and so notify the election authority.

115.160. DRIVER'S LICENSE APPLICANTS TO RECEIVE VOTER REGISTRATION APPLICATION, CONTENTS — RULES — FORWARDING OF APPLICATION TO ELECTION AUTHORITY, WHEN — DOCUMENTATION REQUIRED. — 1. All Missouri driver's license applicants shall receive a voter registration application form as a simultaneous part of the application for a driver's license, renewal of driver's license, change of address, duplicate request and a nondriver's license.

2. If a single application form is used, the voter registration application portion of any application described in subsection 1 of this section may not require any information that duplicates information required in the driver's license portion of the form, except a second signature or other information required by law.

3. After conferring with the secretary of state as the chief state election official responsible for overseeing of the voter registration process, the director of revenue shall adopt rules and regulations pertaining to the format of the voter registration application used by the department. **The director of revenue shall utilize electronic voter registration application forms and provide for secure electronic transfer of voter registration information to election authorities. The secretary of state and the director of revenue shall ensure the confidentiality and integrity of the voter registration data collected, maintained, received, or transmitted under this section.**

4. No information relating to the failure of an applicant for a driver's license or nondriver's license to sign a voter registration application may be used for any purpose other than voter registration.

5. Any voter registration application received pursuant to the provisions of this section shall be forwarded, **in a secure and electronic manner**, to the election authority located within that county or any city not within a county, or if there is more than one election authority within the county, then to the election authority located nearest to the location where the driver's license application was received. **Voter registration information, including an electronic image of the signature of the applicant, shall be transmitted in a format compatible with the Missouri voter registration system established in section 115.158 which allows for review by the election authority and does not require the election authority to manually reenter the information, provided that the election authority shall print out a paper copy of the information and retain such information in the manner required by section 115.145.** The election authority receiving the application forms shall review the applications and forward, **in a secure and electronic manner**, any applications pertaining to a different election authority to that election authority.

6. A completed voter registration application accepted in the driver's licensing process shall be transmitted to the election authority described in subsection 5 of this section not later than ~~five~~ **three** business days after the form is completed by the applicant.

7. Any person registering to vote when applying for or renewing a Missouri driver's license shall submit with the application form a copy of a birth certificate, a Native American tribal document, or other proof of United States citizenship, a valid Missouri driver's license, or other form of personal identification. **Any person who, at the time of a transaction with the division of motor vehicle and driver licensing of the department of revenue, provides a document that establishes noncitizenship shall not be offered the opportunity to register to vote as part of the transaction.**

115.163. PRECINCT REGISTER REQUIRED — VOTER IDENTIFICATION CARDS, PROCEDURES AND USES — LIST OF REGISTERED VOTERS AVAILABLE, FEE. — 1. Each election authority shall use the Missouri voter registration system established by section 115.158 to prepare a list of legally registered voters for each precinct. The list shall be arranged alphabetically or by street address as the election authority determines and shall be known as the precinct register. The precinct registers shall be kept by the election authority in a secure place, except when given to election judges

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for use at an election. Except as provided in subsection 6 of section 115.157, all registration records shall be open to inspection by the public at all reasonable times.

2. A new precinct register shall be prepared by the election authority prior to each election.

3. (1) The election authority shall send to each voter, except those who registered by mail and have not voted, a voter identification card no later than ninety days prior to the date of a primary or general election for federal office, unless the voter has received such a card during the preceding six months. The election authority shall send to each voter who registered by mail and has not voted the verification notice required under section 115.155 no later than ninety days prior to the date of a primary or general election for federal office.

(2) The voter identification card shall contain the voter's name, address, **political party affiliation**, and precinct. The card also shall inform the voter of the personal identification requirement in section 115.427 and may also contain other voting information at the discretion of the election authority.

(3) The voter identification card shall be sent to a voter, except those who registered by mail and have not voted, after a new registration or a change of address. If any voter, except those who registered by mail and have not voted, shall lose his **or her** voter identification card **or change political party affiliation**, he **or she** may request a new ~~[one]~~ card from the election authority.

(4) The voter identification card authorized pursuant to this section may be used as a canvass of voters in lieu of the provisions set out in sections 115.179 to 115.193.

(5) Except as provided in subsection 2 of section 115.157, anyone, upon request and payment of a reasonable fee, may obtain a printout, list and/or computer tape of those newly registered voters or voters deleted from the voting rolls, since the last canvass or updating of the rolls.

(6) The election authority may authorize the use of the postal service contractors under the federal National Change of Address program to identify those voters whose address is not correct on the voter registration records. The election authority shall not be required to mail a voter registration card to those voters whose addresses are incorrect. Confirmation notices to such voters required by section 115.193 shall be sent to the corrected address provided by the National Change of Address program.

115.165. TRANSFER OF REGISTRATION, HOW, WHEN — PROCEDURE. — 1. If the voter files a change of address application in person at the office of the election authority, at the polling place, or pursuant to section 115.159, 115.160, 115.162 or 115.193, or otherwise provides signed written notice of the move, including notice by facsimile, **electronic, or online** transmission, an election authority may change the address on a voter registration record for a voter who moves within the election authority's jurisdiction after comparing and verifying the signature. Before changing the address on a voter record, the election authority shall be satisfied that the record is that of the person providing the change of address information.

2. A registered voter who has changed his or her residence within an election authority's jurisdiction and has not been removed from the list of registered voters pursuant to this chapter shall be permitted to file a change of address with the election authority or before an election judge at a polling place and vote at a central polling place or at the polling place that serves his or her new address upon written or oral affirmation by the voter of the new address.

3. **A registered voter who has changed his or her residence within the state and has not been removed from the list of registered voters under this chapter shall be permitted to file a change of address in person at the office of the election authority on election day. In order to change an address in person on election day under this subsection, a registered voter shall provide a form of personal photo identification required under subsection 1 of section 115.427.**

4. If the applicant for registration was last registered in another jurisdiction within this state or another state, the election authority shall send notice of the registration to the election authority where the applicant was previously registered. The election authority sending the notice shall provide identifying information to assist the election authority receiving the notice to determine whether the

person named was previously registered in such jurisdiction and whether, based on the identifying information provided, the application can be removed from the voting record in the former jurisdiction.

[4.] **5.** Upon receipt of a notice from another election authority that a voter has registered in another jurisdiction in this state or another state, the election authority shall determine whether sufficient information is provided in the notice to identify the person named in such notice as previously registered in the election authority's jurisdiction and presently removable from the voting records in the election authority's jurisdiction. Every election authority is authorized to examine the information provided in a notice of duplicate registration provided by the Missouri voter registration system authorized pursuant to section 115.158 to determine if a voter in one election authority's voter registration records has subsequently registered in another jurisdiction. If, after reviewing the information provided, the election authority is satisfied that the person identified in the notice is listed as a registered voter in the election authority's jurisdiction but has subsequently registered in another jurisdiction, the election authority may remove the person's registration from the list of registered voters.

115.168. PARTY AFFILIATION CHANGE, PROCEDURE. — 1. If a registered voter chooses to change his or her political party affiliation, the voter may notify the election authority of such change. Any change of political party affiliation shall be made by signed, written notice in substantially the same manner as a change of address application is filed under section 115.165.

2. For purposes of this section, the phrase "change his or her political party affiliation" shall mean changing affiliation from one established political party to another established political party, changing from affiliation with an established political party to unaffiliated, or changing from unaffiliated to affiliation with an established political party.

115.205. VOTER REGISTRATION SOLICITORS, REGISTRATION — REQUIRED INFORMATION — OATH — PENALTY, ACCEPTANCE OF APPLICATIONS. — 1. [Any] No person [who is] shall be paid or otherwise compensated for soliciting [more than ten] voter registration applications, other than a governmental entity or a person who is paid or compensated by a governmental entity for such solicitation[, shall be registered with the secretary of state as a voter registration solicitor]. A voter registration solicitor who solicits more than ten voter registration applications shall register for every election cycle that begins on the day after the general election and ends on the day of the general election two years later. A voter registration solicitor shall be at least eighteen years of age and shall be a registered voter in the state of Missouri.

2. Each voter registration solicitor shall provide the following information in writing to the secretary of state's office:

- (1) The name of the voter registration solicitor;**
- (2) The residential address, including street number, city, state, and zip code;**
- (3) The mailing address, if different from the residential address; and**
- (4) [Whether the voter registration solicitor expects to be paid for soliciting voter registrations;**
- (5) If the voter registration solicitor expects to be paid, the identity of the payor; or**
- (6)] The signature of the voter registration solicitor.**

3. The solicitor information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation:

"I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

4. Any voter registration solicitor who knowingly fails to register with the secretary of state is guilty of a class three election offense. Voter registration applications shall be accepted by the election authority if such applications are otherwise valid, even if the voter registration solicitor who procured the applications fails to register with or submits false information to the secretary of state.

115.225. AUTOMATED EQUIPMENT TO BE APPROVED BY SECRETARY OF STATE — STANDARDS TO BE MET — RULES, PROMULGATION, PROCEDURE. — 1. Before use by election authorities in this state, the secretary of state shall approve the marking devices and the automatic tabulating equipment used in electronic voting systems and may promulgate rules and regulations to implement the intent of sections 115.225 to 115.235.

2. No electronic voting system shall be approved unless it:

(1) Permits voting in absolute secrecy;

(2) Permits each voter to vote for as many candidates for each office as a voter is lawfully entitled to vote for;

(3) Permits each voter to vote for or against as many questions as a voter is lawfully entitled to vote on, and no more;

(4) Provides facilities for each voter to cast as many write-in votes for each office as a voter is lawfully entitled to cast;

(5) Permits each voter in a primary election to vote for the candidates of only one party announced by the voter in advance;

(6) Permits each voter at a presidential election to vote by use of a single mark for the candidates of one party or group of petitioners for president, vice president and their presidential electors;

(7) Accurately counts all proper votes cast for each candidate and for and against each question;

(8) Is set to reject all votes, except write-in votes, for any office and on any question when the number of votes exceeds the number a voter is lawfully entitled to cast;

(9) Permits each voter, while voting, to clearly see the ballot label;

(10) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency. The provisions of this subdivision shall not be required for any system purchased prior to August 28, 2002.

3. The secretary of state shall promulgate rules and regulations to allow the use of a computerized voting system. The procedures shall provide for the use of a computerized voting system with the ability to provide a paper audit trail. Notwithstanding any provisions of this chapter to the contrary, such a system may allow for the storage of processed ballot materials in an electronic form.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

5. If any election authority uses any touchscreen direct-recording electronic vote-counting machine, the election authority may continue to use such machine. Upon the removal of such voting machine from the election authority's inventory because of mechanical malfunction, wear and tear, or any other reason, the machine shall not be replaced and no additional direct-recording electronic vote counting machine shall be added to the election authority's inventory. Such machines shall not be used beginning January 1, 2024. Equipment that is designed for accessibility shall provide a paper ballot audit trail.

6. (1) Each election authority that controls its own information technology department shall, once every two years, allow a cyber security review of their office by the secretary of state or alternatively by an entity that specializes in cyber security reviews. Each political subdivision that controls the information technology department for an election authority shall, once every two years, allow a cyber security review of the information technology department by the secretary of state or alternatively by an entity that specializes in cyber security reviews. The secretary of state shall, once every two years, allow a cyber security review of its office by an entity

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that specializes in cyber security reviews. For purposes of this section, an entity specializes in cyber security review if it employs one or more individuals who:

- (a) Have at least five years management experience in information security or five years experience as an information security analyst;
- (b) Have worked in at least two of the domains listed in paragraph (c) of this subdivision that are covered in the exam required by such paragraph; and
- (c) Have attained an information security certification by passing an exam that covers at least three of the following topics:
 - a. Information technology risk management, identification, mitigation, and compliance;
 - b. Information security incident management;
 - c. Information security program development and management;
 - d. Risk and control monitoring and reporting;
 - e. Access control systems and methodology;
 - f. Business continuity planning and disaster recovery planning;
 - g. Physical security of election authority property;
 - h. Networking security; or
 - i. Security architecture application and systems development.

(2) If an election authority or political subdivision fails to have a cyber security review as required by this subsection, the secretary of state may publish a notice of noncompliance in a newspaper within the jurisdiction of the election authority or in electronic format. The secretary of state is also authorized to withhold funds from an election authority in violation of this section unless such funding is a federal mandate or part of a federal and state agreement.

7. The secretary of state shall have authority to require cyber security testing, including penetration testing, of vendor machines, programs, and systems. Failure to participate in such testing shall result in a revocation of vendor certification. Upon notice from another jurisdiction of cyber security failures or certification withholds or revocation, the secretary of state shall have authority to revoke or withhold certification for vendors. The requirements of this section shall be subject to appropriation for the purpose of cyber security testing.

8. The secretary of state may designate an organization of which each election authority shall be a member, provided there is no membership fee and the organization provides information to increase cyber security and election integrity efforts.

115.237. BALLOTS, CONTENTS OF — STRAIGHT POLITICAL PARTY TICKET VOTING PROHIBITED — RULEMAKING AUTHORITY. — 1. Each ballot printed or designed for use with an electronic voting system for any election pursuant to this chapter shall contain all questions and the names of all offices and candidates certified or filed pursuant to this chapter and no other. **Beginning January 1, 2023, the official ballot shall be a paper ballot that is hand-marked by the voter or by the voter's designee as permitted in section 115.445, unless such voter chooses to use a ballot marking device as provided in section 115.225.** As far as practicable, all questions and the names of all offices and candidates for which each voter is entitled to vote shall be printed on one page except for the ballot for political party committee persons in polling places not utilizing an electronic voting system which may be printed separately and in conformity with the requirements contained in this section. As far as practicable, ballots containing only questions and the names of nonpartisan offices and candidates shall be printed in accordance with the provisions of this section, except that the ballot information may be listed in vertical or horizontal rows. The names of candidates for each office shall be listed in the order in which they are filed.

2. In polling places using electronic voting systems, the ballot information may be arranged in vertical or horizontal rows or on a number of separate pages or screens. In any event, the name of each

candidate, the candidate's party, the office for which he or she is a candidate, and each question shall be indicated clearly on the ballot.

3. Nothing in this subchapter shall be construed as prohibiting the use of a separate paper ballot for questions or for the presidential preference primary in any polling place using an electronic voting system.

4. Where electronic voting systems are used and when write-in votes are authorized by law, a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may be provided by the election authority to permit each voter to write in the names of persons whose names do not appear on the ballot.

5. No ballot printed or designed for use with an electronic voting system for any partisan election held under this chapter shall allow a person to vote a straight political party ticket. For purposes of this subsection, a "straight political party ticket" means voting for all of the candidates for elective office who are on the ballot representing a single political party by a single selection on the ballot.

6. The secretary of state shall promulgate rules that specify uniform standards for ballot layout for each electronic or computerized ballot counting system approved under the provisions of section 115.225 so that the ballot used with any counting system is, where possible, consistent with the intent of this section. Nothing in this section shall be construed to require the format specified in this section if it does not meet the requirements of the ballot counting system used by the election authority.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

115.257. ELECTRONIC VOTING MACHINES TO BE PUT IN ORDER, PROCEDURE TO BE FOLLOWED — ABSENTEE BALLOTS, PROCEDURE — ON-SITE STORAGE OF VOTING MACHINES PERMITTED. — 1. In jurisdictions where electronic voting machines are used, the election authority shall cause the voting machines to be put in order, set, adjusted and made ready for voting before they are delivered to polling places.

2. At least five days before preparing electronic voting machines for any election, notice of the time and place of such preparation shall be mailed to each independent candidate and the chairman of the county committee of each established political party named on the ballot. The preparation shall be watched by two observers designated by the election authority, one from each major political party, and shall be open to representatives of the political parties, candidates, the news media and the public.

3. When an electronic voting machine has been examined by such observers and shown to be in good working order, the machine shall be locked against voting. The observers shall certify the vote count on each machine is set at zero.

4. After an electronic voting machine has been properly prepared and locked, its keys shall be retained by the election authority and delivered to the election judges along with the other election supplies.

5. For the purpose of processing absentee ballots, cast by voters in person in the office of the election authority **that is deemed designated as a polling place**, the election authority may cause voting machines, **if used**, to be put in order, set, adjusted, tested, and made ready for voting within one business day of the printing of absentee ballots as provided in section 115.281. The election authority shall have the recording counter except for the protective counter on the voting machine set to zero (000). After the voting machines have been made ready for voting, the election authority shall not permit any person to handle any voting machine, except voters while they are voting and others

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expressly authorized by the election authority. The election authority shall neither be nor permit any other person to be in any position or near any position that enables the authority or person to see how any absentee voter votes or has voted.

6. Nothing in this section shall prohibit the on-site storage of electronic voting machines and the preparation of the electronic machines for voting, provided the electronic voting machines are put in order, set, adjusted and made ready for voting as provided in subsections 1, 2, 3, 4, and 5 of this section.

115.275. DEFINITIONS RELATIVE TO ABSENTEE BALLOTS. — As used in sections 115.275 to 115.304, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Absentee ballot", any ~~[of the ballots]~~ **ballot** a person is authorized to cast ~~[away from a polling place]~~ **in the office of the election authority, by mail, or at another authorized location designated by the election authority** pursuant to the provisions of sections 115.275 to 115.304;

(2) "Covered voter":

(a) A uniformed services voter who is registered to vote in this state;

(b) A uniformed services voter defined in this section whose voting residence is in this state and who otherwise satisfies this state's voter eligibility requirements;

(c) An overseas voter;

(d) Civilian employees of the United States government working outside the boundaries of the United States, and their spouses and dependents;

(e) Active members of religious or welfare organizations assisting servicemen, and their spouses and dependents; or

(f) Persons who have been honorably discharged from the Armed Forces, **including the Space Force**, or who have terminated their service or employment in any group mentioned in this section within sixty days of an election, and their spouses and dependents;

(3) "Interstate former resident", a former resident and registered voter in this state who moves from Missouri to another state after the deadline to register to vote in any presidential election in the new state and who otherwise possesses the qualifications to register and vote in such state;

(4) ~~["Intrastate new resident", a registered voter of this state who moves from one election authority's jurisdiction in the state to another election authority's jurisdiction in the state after the last day authorized in this chapter to register to vote in an election and otherwise possesses the qualifications to vote;~~

~~(5)]~~ "New resident", a person who moves to this state after the last date authorized in this chapter to register to vote in any presidential election;

~~[(6)]~~ (5) "Overseas voter":

(a) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

(b) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States;

~~[(7)]~~ (6) "Uniformed services":

(a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard of the United States;

(b) The Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or

(c) The Missouri National Guard;

~~[(8)]~~ (7) "Uniformed services voter", an individual who is qualified to vote and is:

(a) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;

(b) A member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;

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(c) A member on activated status of the National Guard; or

(d) A spouse or dependent of a member referred to in this subdivision;

~~[(9)]~~ **(8)** "United States", used in the territorial sense, the several states, the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

115.277. PERSONS ELIGIBLE TO VOTE ABSENTEE — AT-RISK CATEGORY DEFINED. — 1. A registered voter of this state may cast an absentee ballot in person at a location designated by the election authority for all candidates and issues for which such voter is eligible to vote at the polling place if such voter expects to be prevented from going to the polls to vote on election day due to one of the reasons listed in subsection 3 of this section. A registered voter casting a ballot under the provisions of this subsection shall provide a form of personal photo identification that is consistent with subsection 1 of section 115.427. Beginning on the second Tuesday prior to an election, a reason listed under subsection 3 of this section shall not be required, provided that the provisions of section 1.140 to the contrary notwithstanding, this sentence and section 115.427 shall be nonseverable, and if any provision of section 115.427 is for any reason held to be invalid, such decision shall invalidate this sentence.

2. Except as provided in subsections ~~[2, 3,]~~ 4, ~~[and]~~ 5, and 6 of this section, ~~[any]~~ a registered voter of this state may ~~[vote by]~~ cast an absentee ballot **not in person at a location designated by the election authority** for all candidates and issues for which such voter would be eligible to vote at the polling place if such voter expects to be prevented from going to the polls to vote on election day due to ~~[one of the reasons listed in subsection 3 of this section]~~. An absentee ballot that is not requested and completed in person at the office of the election authority with a form of personal photo identification that is consistent with subsection 1 of section 115.427 shall have the statement on the ballot envelope notarized as required under section 115.283, except that absentee ballots requested under subdivisions (2) and (5) of subsection 3 of this section shall not require notarization. This subsection shall apply only in the case of absentee ballots that are not cast in person.

3. A voter may request an absentee ballot for any of the following reasons:

(1) Absence on election day from the jurisdiction of the election authority in which such voter is registered to vote;

(2) Incapacity or confinement due to illness or physical disability **on election day**, including a person who is primarily responsible for the physical care of a person who is incapacitated or confined due to illness or disability **and resides at the same address**;

(3) Religious belief or practice;

(4) Employment as:

(a) An election authority, as a member of an election authority, or by an election authority at a location other than such voter's polling place;

(b) A first responder;

(c) A health care worker; or

(d) A member of law enforcement;

(5) Incarceration, provided all qualifications for voting are retained;

(6) Certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns~~]; or~~

~~(7) For an election that occurs during the year 2020, the voter has contracted or is in an at risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2. This subdivision shall expire on December 31, 2020].~~

~~[2.]~~ **4.** Any covered voter who is eligible to register and vote in this state may vote in any election for federal office, statewide office, state legislative office, or statewide ballot initiatives by submitting a

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federal postcard application to apply to vote by absentee ballot or by submitting a federal postcard application at the polling place even though the person is not registered. A federal postcard application submitted by a covered voter pursuant to this subsection shall also serve as a voter registration application under section 115.908 and the election authority shall, if satisfied that the applicant is entitled to register, place the voter's name on the voter registration file. Each covered voter may vote by absentee ballot or, upon submitting an affidavit that the person is qualified to vote in the election, may vote at the person's polling place.

~~[3.]~~ **5.** Any interstate former resident may vote by absentee ballot for presidential and vice presidential electors.

~~[4. Any intrastate new resident may vote by absentee ballot at the election for presidential and vice presidential electors, United States senator, representative in Congress, statewide elected officials and statewide questions, propositions and amendments from such resident's new jurisdiction of residence after registering to vote in such resident's new jurisdiction of residence.~~

~~5.]~~ **6.** Any new resident may vote by absentee ballot for presidential and vice presidential electors after registering to vote in such resident's new jurisdiction of residence.

~~[6. For purposes of this section, the voters who are in an at risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

- ~~(1) Are sixty five years of age or older;~~
- ~~(2) Live in a long term care facility licensed under chapter 198;~~
- ~~(3) Have chronic lung disease or moderate to severe asthma;~~
- ~~(4) Have serious heart conditions;~~
- ~~(5) Are immunocompromised;~~
- ~~(6) Have diabetes;~~
- ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~
- ~~(8) Have liver disease.]~~

115.279. APPLICATION FOR ABSENTEE BALLOT, HOW MADE. — 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the applicant, in person, by his or her guardian or a relative within the second degree by consanguinity or affinity. The election authority shall accept applications by facsimile transmission and by electronic mail within the limits of its telecommunications capacity.

2. Notwithstanding section 115.284, no individual, group, or party shall solicit a voter into obtaining an absentee ballot application. Absentee ballot applications shall not have the information pre-filled prior to it being provided to a voter. Nothing in this section shall be interpreted to prohibit a state or local election authority from assisting an individual voter.

3. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot, the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed services and overseas applicants, the applicant's email address if electronic transmission is requested. If the reason for the applicant voting absentee is due to the reasons established under subdivision (6) of subsection 1 of section 115.277, the applicant shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, address at which he or she is or would be registered, and address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which political party ballot he or she wishes to receive. If the applicant does not

respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.

~~[3. Except as provided in subsection 3 of section 115.281,]~~ **4.** All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot received in the office of the election authority by mail, by facsimile transmission, by electronic mail, or by a guardian or relative after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day before the election shall be accepted by any election authority, except as provided in subsections ~~[6-8]~~ **7, 8,** and 9 of this section.

~~[4-]~~ **5.** Each application for an absentee ballot shall be signed by the applicant or, if the application is made by a guardian or relative pursuant to this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian or relative is blind, unable to read or write the English language or physically incapable of signing the application, he or she shall sign by mark, witnessed by the signature of an election official or person of his or her own choosing. Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one election offense.

~~[5-]~~ **6.** (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the Armed Forces of the United States or members of their immediate family living with them may request an absentee ballot for both the primary and subsequent general election with one application.

(2) The election authority shall provide each absent uniformed services voter and each overseas voter who submits a voter registration application or an absentee ballot request, if the election authority rejects the application or request, with the reasons for the rejection.

(3) Notwithstanding any other law to the contrary, if a standard oath regarding material misstatements of fact is adopted for uniformed and overseas voters pursuant to the Help America Vote Act of 2002, the election authority shall accept such oath for voter registration, absentee ballot, or other election-related materials.

(4) Not later than sixty days after the date of each regularly scheduled general election for federal office, each election authority which administered the election shall submit to the secretary of state in a format prescribed by the secretary a report on the combined number of absentee ballots transmitted to, and returned by, absent uniformed services voters and overseas voters for the election. The secretary shall submit to the Election Assistance Commission a combined report of such information not later than ninety days after the date of each regularly scheduled general election for federal office and in a standardized format developed by the commission pursuant to the Help America Vote Act of 2002. The secretary shall make the report available to the general public.

(5) As used in this section, the terms "absent uniformed services voter" and "overseas voter" shall have the meaning prescribed in 52 U.S.C. Section 20310.

~~[6-]~~ **7.** An application for an absentee ballot by a new resident shall be submitted in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or any authorized officer of the election authority, and in substantially the following form:

"STATE OF _____
COUNTY OF _____, ss.
I, _____, do solemnly swear that

- (1) Before becoming a resident of this state, I resided at _____ (residence address) in _____ (town, township, village or city) of _____ County in the state of _____;
- (2) I moved to this state after the last day to register to vote in such general presidential election and I am now residing in the county of _____, state of Missouri;
- (3) I believe I am entitled pursuant to the laws of this state to vote in the presidential election to be held November _____, _____ (year);
- (4) I hereby make application for a presidential and vice presidential ballot. I have not voted and shall not vote other than by this ballot at such election.

Signed _____
(Applicant)

(Residence Address)

Subscribed and sworn to before me this _____ day of _____, _____
Signed _____
(Title and name of officer authorized to administer oaths)"

[7.] **8.** The election authority in whose office an application is filed pursuant to subsection [6] **7** of this section shall immediately send a duplicate of such application to the appropriate official of the state in which the new resident applicant last resided and shall file the original of such application in its office.

~~[8. An application for an absentee ballot by an intrastate new resident shall be made in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or an authorized officer of the election authority, and in substantially the following form:]~~

["STATE OF _____]
[COUNTY OF _____, ss.]
[I, _____, do solemnly swear that:]

- [(1)] ~~[Before becoming a resident of this election jurisdiction, I resided at _____ (residence address) in _____ (town, township, village or city) of _____ county in the state of _____;]~~
- [(2)] ~~[I moved to this election jurisdiction after the last day to register to vote in such election;]~~
- [(3)] ~~[I believe I am entitled pursuant to the laws of this state to vote in the election to be held _____ (date);]~~
- [(4)] ~~[I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. I have not voted and shall not vote other than by this ballot at such election.]~~

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[Signed _____]
 [(Applicant)]

[_____]

 [(Residence Address)]

[Subscribed and sworn to before me this _____ day of _____, _____]
 [Signed _____]
 [(Title and name of officer authorized to administer oaths)]

9. An application for an absentee ballot by an interstate former resident shall be received in the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application is made in person by the applicant in the office of the election authority, in which case such application shall be made no later than 7:00 p.m. on the day of the election.

115.283. STATEMENTS OF ABSENTEE VOTERS OR PERSONS PROVIDING ASSISTANCE TO ABSENTEE VOTERS — FORMS — NOTARY SEAL NOT REQUIRED, WHEN — CHARGES BY NOTARIES, LIMITATIONS. — 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, the voter's mailing address and the voter's reason for voting an absentee ballot. If the reason for the voter voting absentee is due to the reasons established under subdivision (6) of subsection [4] 3 of section 115.277, the voter shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, voting address, and mailing address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the absentee voter shall include a statement on the envelope identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

2. The statement for persons voting absentee ballots who are registered voters shall be in substantially the following form:

State of Missouri
 County (City) of _____

I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), declare under the penalties of perjury that I **am voting in person at a location designated by the local election authority or I** expect to be prevented from going to the polls on election day due to (check one):

_____ absence on election day from the jurisdiction of the election authority in which I am registered;

_____ incapacity or confinement due to illness or physical disability **on election day**, including caring for a person who is incapacitated or confined due to illness or disability **and resides at the same address**;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

_____ religious belief or practice;

_____ employment as an election authority [~~or~~], by an election authority at a location other than my polling place, **as a first responder, as a health care worker, or as a member of law enforcement**;

_____ incarceration, although I have retained all the necessary qualifications for voting;

_____ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

Signature of Voter

Signed _____
Signed _____
Address of Voter _____

Mailing addresses
(if different)

Signature of Person
Assisting Voter
(if applicable)

Subscribed and sworn
to before me this day
_____ day of _____, _____

Signature of notary or
other officer
authorized to
administer oaths

3. The statement for persons voting absentee ballots pursuant to the provisions of subsection ~~[2,3]~~
4, ~~[or]~~ 5, **or 6** of section 115.277 without being registered shall be in substantially the following form:

State of Missouri
County (City) of _____

I, _____ (print name), declare under the penalties of perjury that I am a citizen of the United States and eighteen years of age or older. I am not adjudged incapacitated by any court of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I hereby state under penalties of perjury that I am qualified to vote at this election.

I am ~~[(check one):]~~

☐ ~~[a resident of the state of Missouri and a registered voter in _____ County and moved from that county to _____ County, Missouri, after the last day to register to vote in this election.]~~

☐ an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.

I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

Signature of Voter

Subscribed to and
sworn before me this
_____ day of _____, _____

Address of Voter

Signature of notary or
other officer
authorized to
administer oaths

Mailing Address (if different)

Signature of Person
Assisting Voter

Address of Last
Missouri Residence
(if applicable)

4. The statement for persons voting absentee ballots who are entitled to vote at the election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially the following form:

State of Missouri
County (City) of _____

I, _____ (print name), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

_____ absence on election day from the jurisdiction of the election authority in which I am directed to vote;

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Matter in bold-face type is proposed language.

_____ incapacity or confinement due to illness or physical disability **on election day**, including caring for a person who is incapacitated or confined due to illness or disability **and resides at the same address**;

_____ religious belief or practice;

_____ employment as an election authority [ø], by an election authority at a location other than my polling place, **as a first responder, as a health care worker, or as a member of law enforcement**;

_____ incarceration, although I have retained all the necessary qualifications of voting;

_____ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I own property in the _____ district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

Signature of Voter

Subscribed and sworn
to before me this
_____ day of _____, _____

Address

Signature of notary or
other officer
authorized to
administer oaths

Signature of Person
Assisting Voter
(if applicable)

5. The statement for persons providing assistance to absentee voters shall be in substantially the following form:

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore or affirmed the voter affidavit above and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

Reason why voter needed assistance: _____

ASSISTING PERSON SIGN HERE

1. _____ (signature of assisting person)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
4. _____ (assisting person's home city or town).

~~[6. The election authority shall, for an election held during 2020, adjust the forms described in this section to account for voters voting absentee due to the reason established pursuant to subdivision (7) of subsection 1 of section 115.277.~~

~~7.]~~ 6. Notwithstanding any other provision of this section, any covered voter as defined in section 115.902 or persons who have declared themselves to be permanently disabled pursuant to section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature on his or her absentee ballot.

~~[8.]~~ 7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to the reasons established pursuant to subdivision (2) ~~[or (7)]~~ of subsection ~~[4]~~ 3 of section 115.277.

~~[9.]~~ 8. No notary shall charge or collect a fee for notarizing the signature on any absentee ballot or absentee voter registration.

~~[10.]~~ 9. A notary public who charges more than the maximum fee specified or who charges or collects a fee for notarizing the signature on any absentee ballot or absentee voter registration is guilty of official misconduct.

115.285. SECRETARY OF STATE MAY PRESCRIBE REGULATIONS AS TO PRINTING ABSENTEE BALLOT AND MAILING ENVELOPES, NO COST TO VOTER. — The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage-free mail for all ballots cast shall be paid by the secretary of state through state appropriations. ~~[Notwithstanding any provision of law to the contrary, a ballot envelope used under section 115.302 shall be the same ballot envelope used for absentee ballots, provided an option shall be listed on the envelope to clearly indicate whether the voter is casting an absentee ballot or a mail-in ballot.]~~

115.286. ABSENTEE BALLOTS DEEMED CAST, WHEN. — Absentee ballots under sections 115.275 to 115.304 received by the election authority in person or other authorized location designated by the election authority are deemed cast when received prior to election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service are deemed cast when received prior to the time fixed by law for the closing of the polls on election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service shall be received prior to the time fixed by law

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for the closing of polls on election day. The election authority shall hand mark or stamp each absentee ballot envelope as it is received, indicating the date and time the absentee ballot was received.

115.287. ABSENTEE BALLOT, HOW DELIVERED. — 1. Upon receipt of a signed application for an absentee ballot and if satisfied the applicant is entitled to vote by absentee ballot, the election authority shall, within three working days after receiving the application, or if absentee ballots are not available at the time the application is received, within five working days after they become available, deliver to the voter an absentee ballot, ballot envelope and such instructions as are necessary for the applicant to vote. Delivery shall be made to the voter personally in the office of the election authority or by bipartisan teams appointed by the election authority, or by first class, registered, or certified mail at the discretion of the election authority, or in the case of a covered voter as defined in section 115.902, the method of transmission prescribed in section 115.914. Where the election authority is a county clerk, the members of bipartisan teams representing the political party other than that of county clerk shall be selected from a list of persons submitted to the county clerk by the county chairman of that party. If no list is provided by the time that absentee ballots are to be made available, the county clerk may select a person or persons from lists provided in accordance with section 115.087. If the election authority is not satisfied that any applicant is entitled to vote by absentee ballot, it shall not deliver an absentee ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by absentee ballot. The applicant may file a complaint with the elections division of the secretary of state's office under and pursuant to section 115.219.

2. If, after 5:00 p.m. on the second Wednesday before an election, any voter from the jurisdiction has become hospitalized, becomes confined due to illness or injury, or is confined in an intermediate care facility, residential care facility, or skilled nursing facility **on election day**, as such terms are defined in section 198.006, in the county in which the jurisdiction is located or in the jurisdiction of an adjacent election authority within the same county, the election authority shall appoint a team to deliver, witness the signing of and return the voter's application and deliver, witness the voting of and return the voter's absentee ballot. ~~[In counties with a charter form of government and in cities not within a county, and in each city which has over three hundred thousand inhabitants, and is situated in more than one county,]~~ If the election authority receives ten or more applications for absentee ballots from the same address it ~~[may]~~ **shall** appoint a team to deliver and witness the voting and return of absentee ballots by voters residing at that address, except when such addresses are for an apartment building or other structure wherein individual living units are located, each of which has its own separate cooking facilities. Each team appointed pursuant to this subsection shall consist of two registered voters, one from each major political party. Both members of any team appointed pursuant to this subsection shall be present during the delivery, signing or voting and return of any application or absentee ballot signed or voted pursuant to this subsection.

3. On the mailing and ballot envelopes for each covered voter, the election authority shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

4. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with an absentee ballot.

115.291. PROCEDURE FOR ABSENTEE BALLOTS — DECLARED EMERGENCIES, DELIVERY AND RETURN OF BALLOTS — ENVELOPES, REFUSAL TO ACCEPT BALLOT PROHIBITED WHEN. — 1. Upon receiving an absentee ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed and sworn to before the election official

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receiving the ballot, a notary public or other officer authorized by law to administer oaths, unless the voter is voting absentee due to incapacity or confinement due to the provisions of section 115.284, illness or physical disability **on election day**, ~~[for an election that occurs during the year 2020, the voter has contracted or is in an at risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as defined in section 115.277,]~~ or the voter is a covered voter as defined in section 115.902. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting a voter who is not entitled to such assistance, and any person who assists a voter and in any manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain from voting on any question, ticket or candidate, shall be guilty of a class one election offense. If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was voted with unlawful assistance, the ballot shall be rejected. ~~[For purposes of this subsection, the voters who are in an at risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

- ~~(1) Sixty five years of age or older;~~
- ~~(2) Live in a long term care facility licensed under chapter 198;~~
- ~~(3) Have chronic lung disease or moderate to severe asthma;~~
- ~~(4) Have serious heart conditions;~~
- ~~(5) Are immunocompromised;~~
- ~~(6) Have diabetes;~~
- ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~
- ~~(8) Have liver disease.—]~~

2. Except as provided in subsection 4 of this section, each absentee ballot that is not cast by the voter in person in the office of the election authority shall be returned to the election authority in the ballot envelope and shall only be returned by the voter in person, or in person by a relative of the voter who is within the second degree of consanguinity or affinity, by mail or registered carrier or by a team of deputy election authorities; except that covered voters, when sent from a location determined by the secretary of state to be inaccessible on election day, shall be allowed to return their absentee ballots cast by use of facsimile transmission or under a program approved by the Department of Defense for electronic transmission of election materials.

3. In cases of an emergency declared by the President of the United States or the governor of this state where the conduct of an election may be affected, the secretary of state may provide for the delivery and return of absentee ballots by use of a facsimile transmission device or system. Any rule promulgated pursuant to this subsection shall apply to a class or classes of voters as provided for by the secretary of state.

4. No election authority shall refuse to accept and process any otherwise valid marked absentee ballot submitted in any manner by a covered voter solely on the basis of restrictions on envelope type.

5. No absentee ballot shall be delivered through a drop box and no election authority shall establish or use a drop box for the purpose of collecting absentee ballots.

115.302. MAIL-IN BALLOTS — APPLICATION — DEADLINE, STORAGE OF BALLOTS — BALLOT ENVELOPE REQUIREMENTS — STATEMENT FORM — DELIVERY OF BALLOTS — PROCEDURES FOR VOTING, RETURN OF BALLOT, DEATH OF VOTER, AND PROCESSING OF BALLOTS — TERMINATION DATE. — ~~[1. Any registered voter of this state may cast a mail in ballot as provided in this section. Nothing in this section shall prevent a voter from casting an absentee ballot, provided such person has not cast a ballot pursuant to this section. Application for a mail in ballot may be made by the applicant in person, or by United States mail, or on behalf of the applicant by his or her guardian or relative within the second degree of consanguinity or affinity.~~

2. Each application for a mail-in ballot shall be made to the election authority of the jurisdiction in which the person is registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is registered, the address to which the ballot is to be mailed.

3. All applications for mail-in ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed under section 115.281. No application for a mail-in ballot received in the office of the election authority after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority.

4. Each application for a mail-in ballot shall be signed by the applicant or, if the application is made by a guardian or relative under this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian, or relative is blind, unable to read or write the English language, or physically incapable of signing the application, he or she shall sign by mark that is witnessed by the signature of an election official or person of his or her choice. Knowingly making, delivering, or mailing a fraudulent mail-in ballot application is a class one election offense.

5. Not later than the sixth Tuesday prior to each election, or within fourteen days after candidate names or questions are certified under section 115.125, the election authority shall cause to have printed and made available a sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As soon as possible after a proper official calls a special state or county election, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.

6. Each ballot envelope shall bear a statement in substantially the same form described in subsection 9 of this section. In addition, any person providing assistance to the mail-in voter shall include a signature on the envelope identifying the person providing such assistance under penalties of perjury. Persons authorized to vote only for federal and statewide offices shall also state their former Missouri residence.

7. The statement for persons voting mail-in ballots who are registered voters shall be in substantially the following form:]

[State of Missouri]
[County (City) of _____]

[I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), declare under the penalties of perjury that: I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.]

[_____]]
[Signature of Voter]

[_____]]
[Signature of Person]
[Assisting Voter]
[(if applicable)]

[Subscribed and sworn to before me this _____ day of _____, _____.]

[_____]]
[Signature of notary or other officer authorized to administer oaths.]

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

[_____]

[_____]

[Mailing addresses]

[(if different)]

18. Upon receipt of a signed application for a mail in ballot and if satisfied that the applicant is entitled to vote by mail in ballot, the election authority shall, within three working days after receiving the application, or, if mail in ballots are not available at the time the application is received, within five working days after such ballots become available, deliver to the voter a mail in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. If the election authority is not satisfied that any applicant is entitled to vote by mail in ballot, the authority shall not deliver a mail in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by mail in ballot. The applicant may file a complaint with the elections division of the secretary of state's office under section 115.219.

9. On the mailing and ballot envelopes for each covered voter, the election authority shall stamp the words "ELECTION BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

10. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with a mail in ballot.

11. Upon receiving a mail in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The statement required under subsection 7 of this section shall be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail in ballot was voted with unlawful assistance, the ballot shall be rejected.

12. Each mail in ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter by United States mail.

13. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage free mail for all ballots cast shall be paid by the secretary of state through state appropriations.

14. All votes on each mail in ballot received by an election authority at or before the time fixed by law for the closing of the polls on election day shall be counted. No votes on any mail in ballot received by an election authority after the time fixed by law for the closing of the polls on election day shall be counted.

15. If sufficient evidence is shown to an election authority that any mail in voter has died prior to the opening of the polls on election day, the ballot of the deceased voter shall be rejected if it is still sealed in the ballot envelope. Any such rejected ballot, still sealed in its ballot envelope, shall be sealed with the application and any other papers connected therewith in an envelope marked "Rejected ballot of _____, a mail in voter of _____ voting district". The reason for rejection shall be noted on the envelope, which shall be kept by the election authority with the other ballots from the election until the ballots are destroyed according to law.

~~16. As each mail in ballot is received by the election authority, the election authority shall indicate its receipt on the list.~~

~~17. All mail in ballot envelopes received by the election authority shall be kept together in a safe place and shall not be opened except as provided under this chapter.~~

~~18. Mail in ballots shall be counted using the procedures set out in sections 115.297, 115.299, 115.300, and 115.303.~~

~~19. The false execution of a mail in ballot is a class one election offense. The attorney general or any prosecuting or circuit attorney shall have the authority to prosecute such offense either in the county of residence of the person or in the circuit court of Cole County.~~

~~20. The provisions of this section shall apply only to an election that occurs during the year 2020, to avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2.~~

~~21. The provisions of this section terminate and shall be repealed on December 31, 2020, and shall not apply to any election conducted after that date.] Mail-in ballots shall not be authorized by any executive or administrative order and no authorization for the use of mail-in ballots shall be inferred from any general law. This section shall not preclude the use of absentee ballots authorized under this chapter. Any expansion of the use of mail-in ballots subsequent to the effective date of this act shall require the repeal of this section by explicit reference thereto.~~

115.349. TIME FOR FILING OF A DECLARATION OF CANDIDACY — FORM OF DECLARATION. — 1. Except as otherwise provided in sections 115.361 to 115.383 ~~for sections 115.755 to 115.785~~, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary election.

3. Each declaration of candidacy for nomination in a primary election shall state the candidate's full name, residence address, office for which such candidate proposes to be a candidate, the party ticket on which he or she wishes to be a candidate and that if nominated and elected he or she will qualify. The declaration shall be in substantially the following form:

I, _____, a resident and registered voter of the county of _____ and the state of Missouri, residing at _____, do announce myself a candidate for the office of _____ on the _____ party ticket, to be voted for at the primary election to be held on the _____ day of _____, _____, and I further declare that if nominated and elected to such office I will qualify.

Signature of candidate

Subscribed and sworn
to before me this
_____ day of
_____, _____

Residence address

Signature of election
official or other officer
authorized to
administer oaths

Mailing Address (if different)

Telephone Number (Optional)

If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate before an official authorized to accept his or her declaration of candidacy. If the declaration is to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall be subscribed and sworn to by the candidate before a notary public or other officer authorized by law to administer oaths.

115.351. CANDIDATE MAY NOT FILE FOR MORE THAN ONE OFFICE, EXCEPTION, PRESIDENTIAL PRIMARY, ALSO PROHIBITED FROM FILING FOR THE SAME OFFICE ON MORE THAN ONE TICKET AT THE SAME ELECTION. — No person who files as a party candidate for nomination or election to an office shall, without withdrawing, file as another party's candidate or an independent candidate for nomination or election to the office for the same term. No person who files as an independent candidate for election to an office shall, without withdrawing, file as a party candidate for nomination or election to the office for the same term. No person shall file for one office and, without withdrawing, file for another office to be filled at the same election. ~~[A person who files a request to be included on the presidential primary ballot is not prohibited by this section from filing or appearing on any ballot as a party candidate for nomination to another office.]~~ Receipt by the secretary of state of proper certification of nomination pursuant to subsection 1 of section 115.399 constitutes withdrawal by operation of law pursuant to subsection 1 of section 115.359 of any presidential or vice presidential nominee from any other office for which such nominee is a candidate at the same election. Any person violating any provision of this section shall be disqualified from running for nomination or election to any office at the primary and general election next succeeding the violation.

115.417. VOTER INSTRUCTION CARDS TO BE DELIVERED TO POLLS — INSTRUCTIONS AND SAMPLE BALLOT TO BE POSTED, HOW. — 1. Before the time fixed by law for the opening of the polls, the election authority shall deliver to each polling place a sufficient number of voter instruction cards which include the following information: ~~[if paper ballots or an electronic voting system is used, the instructions shall inform the voter on]~~ how to obtain a ballot for voting, how to vote and prepare the ballot for deposit in the ballot box, and how to obtain a new ballot to replace one accidentally spoiled.

2. The election authority at each polling place shall post in a conspicuous place voting instructions on a poster no smaller than twenty-four inches by thirty inches. Such instructions shall also inform the voter that the electronic voting equipment can be demonstrated upon request of the voter. The election authority shall also publicly post during the period of time in which a person may cast an absentee ballot and on election day a sample version of the ballot that will be used for that election, the date of the election, the hours during which the polling place will be open, instructions for mail-in registrants and first-time voters, general information on voting rights in accordance with the state plan filed by the secretary of state pursuant to the Help America Vote Act of 2002, general information on the right to cast a provisional ballot and instructions for provisional ballots, how to contact appropriate authorities if voting rights have been violated, and general information on federal and Missouri law regarding prohibitions on acts of fraud and misrepresentation. The secretary of state may promulgate rules to execute this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

3. The secretary of state may develop multilingual voting instructions to be made available to election authorities.

115.427. PERSONAL IDENTIFICATION, REQUIREMENTS--STATEMENT FOR VOTERS WITHOUT REQUIRED PERSONAL IDENTIFICATION, PROCEDURE--PROVISIONAL BALLOT, WHEN--FORM OF STATEMENT--NOTICE OF REQUIREMENTS--REPORT--PRECINCT REGISTER REQUIREMENTS--MARK IN LIEU OF SIGNATURE, WHEN--CONTINGENT EFFECTIVE DATE. — 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place **or, if voting absentee in person under section 115.277, at the office of the election authority or other authorized location designated by the election authority** by presenting a form of personal **photo** identification to election officials. No form of personal **photo** identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal **photo** identification that satisfy the requirements of this section are any one of the following:

- (1) Nonexpired Missouri driver's license;
- (2) Nonexpired or nonexpiring Missouri nondriver's license;
- (3) A document that satisfies all of the following requirements:
 - (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;
 - (b) The document shows a photograph of the individual;
 - (c) The document includes an expiration date, and the document is not expired, or, if expired, the document expired after the date of the most recent general election; and
 - (d) The document was issued by the United States or the state of Missouri; or
- (4) Any identification containing a photograph of the individual which is issued by the Missouri National Guard, the United States Armed Forces, **including the Space Force**, or the United States Department of Veteran Affairs to a member or former member of the Missouri National Guard or the United States Armed Forces, **including the Space Force**, and that is not expired or does not have an expiration date.

2. (1) An individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place ~~[may execute a statement, under penalty of perjury, averring that the individual is the person listed in the precinct register; averring that the individual does not possess a form of personal identification described in subsection 1 of this section; acknowledging that the individual is eligible to receive a Missouri nondriver's license free of charge if desiring it in order to vote; and acknowledging that the individual is required to present a form of personal identification, as described in subsection 1 of this section, in order to vote. Such statement shall be executed and sworn to before the election official receiving the statement. Upon executing such statement, the individual may cast a regular ballot, provided such individual presents one of the following forms of identification:~~

- ~~(a) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;~~
- ~~(b) Identification issued by the United States government or agency thereof;~~
- ~~(c) Identification issued by an institution of higher education, including a university, college, vocational and technical school, located within the state of Missouri;~~
- ~~(d) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that contains the name and address of the individual;~~
- ~~(e) Other identification approved by the secretary of state under rules promulgated pursuant to this section.~~

(2) For any individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place, the election authority may take a picture of such individual and keep it as part of that individual's voter registration file at the election authority.

~~(3) Any individual who chooses not to execute the statement described in subdivision (1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted, provided that it meets the requirements of subsection 4 of this section.~~

~~(4) For the purposes of this section, the term "election official" shall include any person working under the authority of the election authority.~~

~~3. The statement to be used for voting under subdivision (1) of subsection 2 of this section shall be substantially in the following form:—]~~

~~["State of _____]~~

~~[County of _____]~~

~~[I do solemnly swear (or affirm) that my name is _____; that I reside at _____; that I am the person listed in the precinct register under this name and at this address; and that, under penalty of perjury, I do not possess a form of personal identification approved for voting. As a person who does not possess a form of personal identification approved for voting, I acknowledge that I am eligible to receive free of charge a Missouri nondriver's license at any fee office if desiring it in order to vote. I furthermore acknowledge that I am required to present a form of personal identification, as prescribed by law, in order to vote.]~~

~~[I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.]~~

~~[_____]~~

~~[Signature of voter]~~

~~[Subscribed and affirmed before me this _____ day of _____, 20____]~~

~~[_____]~~

~~[Signature of election official"]~~

~~[4. A voter] shall be allowed to cast a provisional ballot [under section 115.430 even if the election judges cannot establish the voter's identity under this section]. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified.~~

(2) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope. All provisional ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable from other ballots.

(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.

3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and last four digits of his or her Social Security number, followed by a certificate in substantially the following form:

I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:

(1) (a) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:

- a. Nonexpired Missouri driver's license;
- b. Nonexpired or nonexpiring Missouri nondriver's license;
- c. A document that satisfies all of the following requirements:
 - (i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;
 - (ii) The document contains my photograph;
 - (iii) The document contains an expiration date and is not expired, or if expired, the document expired after the date of the most recent general election; and
 - (iv) The document was issued by the United States or the state of Missouri; or
- d. Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces that is not expired or does not have an expiration date; or
- (b) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I was eligible to cast a ballot at this polling place; and
- (2) This provisional ballot otherwise qualifies to be counted under the laws of the state of Missouri.

Signature of Voter

Date

Signatures of Election Officials

Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and placed in a separate secured container by the election judge.

4. The provisional ballot cast by such voter shall not be counted unless:

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; or

(b) The election authority verifies the identity of the individual by comparing that individual's signature to the signature on file with the election authority and determines that the individual was eligible to cast a ballot at the polling place where the ballot was cast; and

(2) The provisional ballot otherwise qualifies to be counted under section 115.430.

5. ~~[The secretary of state shall provide advance notice of the personal identification requirements of subsection 1 of this section in a manner calculated to inform the public generally of the requirement for forms of personal identification as provided in this section. Such advance notice shall include, at a minimum, the use of advertisements and public service announcements in print, broadcast television,~~

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

~~radio, and cable television media, as well as the posting of information on the opening pages of the official state internet websites of the secretary of state and governor]~~ **The secretary of state shall provide notice of the personal photo identification requirements described in subsection 1 of this section on the official state internet website of the secretary of state.**

6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the contrary, the state and all fee offices shall provide one nondriver's license at no cost to any otherwise qualified voter who does not already possess such identification and who desires the identification ~~[in order to vote]~~ **for voting.**

(2) This state and its agencies shall provide one copy of each of the following, free of charge, if needed by an individual seeking to obtain a form of personal **photo** identification described in subsection 1 of this section in order to vote:

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;
- (d) A certificate of decree of adoption;
- (e) A court order changing the person's name;
- (f) A Social Security card reflecting an updated name; and
- (g) Naturalization papers or other documents from the United States Department of State proving citizenship.

Any individual seeking one of the above documents in order to obtain a form of personal **photo** identification described in subsection 1 of this section ~~[in order to vote]~~ **for voting** may request the secretary of state to facilitate the acquisition of such documents. The secretary of state shall pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction in this state or any other state, or the federal government or its agencies, in order to obtain any of the above documents from such state or the federal government.

(3) ~~[All costs associated with the implementation of this section shall be reimbursed from the general revenue of this state by an appropriation for that purpose. If there is not a sufficient appropriation of state funds, then the personal identification requirements of subsection 1 of this section shall not be enforced.]~~

(4) Any applicant who requests a nondriver's license for ~~[the purpose of]~~ voting shall not be required to pay a fee ~~[if the applicant executes a statement, under penalty of perjury, averring that the applicant does not have any other form of personal identification that meets the requirements of this section].~~ The state of Missouri shall pay the legally required fees for any such applicant. ~~[The director of the department of revenue shall design a statement to be used for this purpose. The total cost associated with nondriver's license photo identification under this subsection shall be borne by the state of Missouri from funds appropriated to the department of revenue for that specific purpose.]~~ The department of revenue and a local election authority may enter into a contract that allows the local election authority to assist the department in issuing nondriver's license photo identifications.

7. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

8. The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.

PRECINCT _____

WARD OR TOWNSHIP _____

GENERAL (SPECIAL, PRIMARY) ELECTION

Held _____, 20_____
Date _____

I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

9. The secretary of state shall promulgate rules to effectuate the provisions of this section.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

11. If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

~~[12. This section shall become effective only upon the passage and approval by the voters of a constitutional amendment submitted to them by the general assembly regarding the authorization of photo identification requirements for elections by general law. If such constitutional amendment is approved by the voters, this section shall become effective June 1, 2017.]~~

115.435. VOTER TO PROCEED TO VOTING BOOTH, WHEN. — After initialing the voter's identification certificate and after completing any procedures required by section 115.433, the election judges shall allow the voter to proceed to the voting booth and vote. **Once the ballot has been completed by the voter and he or she successfully submits the ballot, the ballot is deemed cast.**

115.447. DEFINITIONS. — 1. As used in this subchapter, unless the context clearly implies otherwise, the following terms shall mean:

(1) "Counting judges" are the two judges, one from each major political party, who read each vote received by all candidates and each vote for and against all questions at a polling place;

(2) "Receiving judges" are the two judges, one from each major political party, who initial each voter's ballot at a polling place;

(3) "Recording judges" are the two judges, one from each major political party, who tally the votes received by each candidate and for and against each question at a polling place. These terms describe functions rather than individuals, and any election judge may perform more than one function at a polling place on election day.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

2. As used in this subchapter, unless the context clearly implies otherwise, the following terms shall mean:

(1) "Defective ballot" is any ballot ~~[eard]~~ on which the number of write-in votes and votes cast on the ballot ~~[eard]~~ for any office exceed the number allowed by law, and any ballot ~~[eard]~~ which is bent or damaged so that it cannot be properly counted by automatic tabulating equipment;

(2) "Rejected ballot" is any ballot on which no votes are counted because the ballot fails to have the initials of the proper election judges, because the number of votes for all offices and on all questions exceeds the number authorized by law, because the voter is deemed by the election judges to be unqualified, because it is an absentee ballot not accompanied by a completed and signed affidavit, or because the ballot was voted with unlawful assistance;

(3) "Spoiled ballot" is any ballot accidentally spoiled by a voter and replaced by election judges in the manner provided in subsection 2 of section 115.439.

115.628. VOTER REGISTRATION RECORDS — NOTIFICATION OF REGISTERED VOTERS OF PARTY AFFILIATION OPPORTUNITIES — DECLARATION OF PARTY AFFILIATION. — 1. The secretary of state shall maintain voter registration records in accordance with the Missouri voter registration system defined under section 115.158.

2. Local election authorities shall notify registered voters of the political party affiliation opportunities of this section using all current election mailings that would otherwise be mailed to registered voters prior to January 1, 2025.

3. Beginning January 1, 2023, the voter registration application form shall be amended to include a choice of political party affiliation.

4. Notwithstanding any other provision of law to the contrary, beginning January 1, 2023, voters may declare political party affiliation during the voter check-in process at any election. Appropriate software shall be provided at voter check-in for political party affiliation so as to minimize later data entry for election authorities. If the election authority does not use electronic poll books, then a signed, written notice in substantially the same manner as a change of address application is filed under section 115.165 is adequate. The election authority shall process this initial political party registration through its normal means of administration.

5. Notwithstanding any other provision of law to the contrary, all current processes for registering voters in the various counties shall remain in place.

115.652. MAIL-IN VOTING MAY BE CONDUCTED, WHEN, LIMITATIONS. — [+-] An election shall not be conducted under sections 115.650 to 115.660 unless:

(1) The officer or agency calling the election submits a written request that the election be conducted by mail. Such request shall be submitted not later than the date specified in section 115.125 for submission of the notice of election and sample ballot;

(2) The election authority responsible for conducting the election authorizes the use of mailed ballots for the election;

(3) The election is nonpartisan;

(4) The election is not one at which any candidate is elected, retained or recalled; and

(5) The election is an issue election at which all of the qualified voters of any one political subdivision are the only voters eligible to vote.

~~[2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law to the contrary, an election may be conducted by mail as authorized under section 115.302, during the year 2020, to avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020. -]~~

115.776. CAUCUSES, DELEGATES FOR NATIONAL CONVENTIONS. — The state party organization which is the state organization recognized by the national organization of that established political party shall, ~~[after the primary and]~~ before the national convention, conduct a series of caucuses culminating in congressional and state conventions **for the purpose of nominating a candidate for the president of the United States**. Delegates to the national conventions shall be chosen at the congressional district and state conventions pursuant to rules established by the political parties.

115.902. DEFINITIONS. — As used in sections 115.900 to 115.936, the following terms shall mean:

- (1) "Covered voter":
 - (a) A uniformed services voter who is registered to vote in this state;
 - (b) A uniformed services voter defined in this section whose voting residence is in this state and who otherwise satisfies this state's voter eligibility requirements; or
 - (c) An overseas voter;
- (2) "Dependent", an individual recognized as a dependent by a uniformed service;
- (3) "Federal postcard application", the application prescribed under Section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)(2);
- (4) "Federal write-in absentee ballot", the ballot described in Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;
- (5) "Military-overseas ballot":
 - (a) A federal write-in absentee ballot;
 - (b) A ballot specifically prepared or distributed for use by a covered voter in accordance with sections 115.900 to 115.936; and
 - (c) A ballot cast by a covered voter in accordance with sections 115.900 to 115.936;
- (6) "Overseas voter":
 - (a) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or
 - (b) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States;
- (7) "State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States;
- (8) "Uniformed services":
 - (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard of the United States;
 - (b) The Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or
 - (c) The Missouri National Guard;
- (9) "Uniformed services voter", an individual who is qualified to vote and is:
 - (a) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;
 - (b) A member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;
 - (c) A member on activated status of the National Guard; or
 - (d) A spouse or dependent of a member referred to in this subdivision;
- (10) "United States", used in the territorial sense, the several states, the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

115.904. APPLICABILITY. — The voting procedures in sections 115.900 to 115.936 shall apply to:

- (1) A general, special, ~~[presidential preference,]~~ or primary election for federal office;
- (2) A general, special, or primary election for statewide or state legislative office or state ballot measure; or
- (3) Any election in which absentee voting is conducted pursuant to sections 115.275 to 115.304.

115.960. ELECTRONIC SIGNATURES ACCEPTED, WHEN — SYSTEM TO BE USED — INAPPLICABILITY — PETITIONS, AUTHORIZED SIGNATURES — CONFIDENTIALITY OF DATA. — 1. An election authority is authorized to accept voter registration applications with a signature submitted to the election authority under the provisions of sections 432.200 to 432.295 as provided in this section:

- (1) Sections 432.200 to 432.295 shall only apply to transactions between parties that have agreed to conduct transactions by electronic means;
- (2) Except as provided in subsection 2 of this section, as used in this section and sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions by electronic means shall be the local election authority who is required to accept or reject a voter registration application and the prospective voter submitting the application;
- (3) A local election authority is authorized to develop, maintain, and approve systems that transmit voter registration applications electronically under sections 432.200 to 432.295;
- (4) Except as provided in subsection 2 of this section **and section 115.160**, no officer, agency, or organization shall collect or submit a voter registration application with an electronic signature to an election authority without first obtaining approval of the data and signature format from the local election authority and the approval of the voter to collect and store the signature and data; and
- (5) Local election authorities who maintain a voter registration application system shall direct voter registration applicants from other jurisdictions to the system used by the local election authority for that jurisdiction to accept voter registration applications electronically.

2. **(1)** A system maintained by the secretary of state's office ~~[shall]~~ **may** be used to accept voter registration applications electronically ~~[subsequent to approval from the committee formed as set forth in this subsection]~~

~~(1) Within thirty days of, but in no event prior to January 1, 2017, the president of the Missouri Association of County Clerks and Election Authorities shall appoint fourteen of its members to serve on a committee to approve and develop uniform standards, systems, and modifications that shall be used by the secretary of state in any electronic voter registration application system offered by that office. The committee may also make recommendations regarding the purchase, maintenance, integration, and operation of electronic databases, software, and hardware used by local election authorities and the secretary of state's office including, but not limited to, systems used for military and overseas voting and for building and conducting election operations. The committee shall have fourteen local election authorities, including representatives of each classification of counties, a representative from an election board, and at least one member who has experience processing online voter registration transactions. In addition, one representative appointed by the secretary of state's office shall serve on the committee;~~

~~(2) The committee shall immediately meet to approve electronic signature formats and a minimum set of data collection standards for use in a voter registration application system maintained by the secretary of state;~~

~~(3) Once the format and data collection standards are approved by the committee and implemented for the system maintained by the secretary of state,]~~

(2) Local election authorities shall accept the transmission of voter registration applications submitted to the approved system under the provisions of sections 432.200 to 432.295];

~~(4) The secretary of state's office shall direct eligible voters to a local election authority's system to accept voter registration applications electronically if the local election authority has a system in place as of August 28, 2016, or implements a system that meets the same standards and format that has been approved by the committee for the secretary of state's system;~~

~~(5) The committee shall meet not less than semiannually through June 30, 2019, to recommend and approve changes and enhancements proposed by the secretary of state or election authorities to the electronic voter registration application system. Vacancies that occur on the committee shall be filled by the president of the Missouri Association of County Clerks and Election Authorities at the time of the vacancy;].~~

~~[(6)] (3)~~ To improve the accuracy of voter registration application data and reduce costs for local election authorities, the system maintained by the secretary of state shall ~~], as soon as is practical,~~ provide a method where the data entered by the voter registration applicant does not have to be re-entered by the election authority to the state voter registration database.

3. Each applicant who registers using an approved electronic voter registration application system shall be deemed to be registered as of the date the signed application is submitted to the system, if such application is accepted and not rejected by the election authority and the verification notice required under section 115.155 is not returned as undeliverable by the postal service.

4. This section shall not apply to voter registration and absentee records submitted by voters authorized under federal law, section 115.291, or sections 115.900 to 115.936 to submit electronic records and signatures.

5. High quality copies, including electronic copies, of signatures made on paper documents may be used for petition signature verification purposes and retained as records.

6. Any signature required for petition submission under chapter 116 shall be handwritten on a paper document.

7. ~~[Notwithstanding the provisions of section 432.230]~~ **Except as provided under sections 115.160 and 432.230**, nothing in this section shall require the election authority to accept voter registration records or signatures created, generated, sent, communicated, received, stored, or otherwise processed, or used by electronic means or in electronic form from any officer, agency, or organization not authorized under subsection 2 of this section without prior approval from the election authority. **Election authorities shall accept and process voter registration records, including electronic images of applicant signatures, transmitted electronically by the division of motor vehicle and driver licensing of the department of revenue under section 115.160.** Except as provided in subsection 2 of this section **and section 115.160**, no officer, agency, or organization shall give the voter the opportunity to submit a voter registration application with an electronic signature without first obtaining the approval of the local election authority.

8. An election authority that agrees to conduct a transaction by electronic means may refuse to conduct other transactions by electronic means.

9. No election authority or the secretary of state shall furnish to any member of the public any data collected under a voter registration application system except as authorized in subsections 1 to 5 of section 115.157.

10. Nothing in this section shall be construed to require the secretary of state to cease operating a voter registration application in place as of the effective date of this act.

SECTION 1. SEVERABILITY CLAUSE. — If any provision of section A of this act or the application thereof to anyone or to any circumstance is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances shall not be affected thereby.

SECTION 2. PUBLIC OFFICIALS CANNOT ENTER INTO A COMPROMISE, SETTLEMENT, CONDITION OR ORDER WHICH CONFLICTS WITH ANY PROVISIONS OF CHAPTERS 115 AND 128.

— 1. As used in this section, the term "public official" means any elected or appointed officer, employee, or agent of the state or any political subdivision, board, commission, bureau, or other public body established by law.

2. In any civil action in a state or federal court, no public official, including any attorney representing or acting on behalf of a public official, has any authority to compromise or settle an action, consent to any condition, or agree to any order in connection therewith if the compromise, settlement, condition, or order nullifies, suspends, enjoins, alters, or conflicts with any provision of chapters 115 to 128.

3. Any compromise, settlement, condition, or order to which a public official agrees that conflicts with subsection 2 of this section is void and has no legal effect.

4. Nothing in this section shall be construed to limit or otherwise restrict any powers granted by articles III or VIII of the Constitution of Missouri.

5. When a party to an action in state or federal court challenges the constitutionality of a statute facially or as applied, challenges a statute as violating or preempted by federal law, or otherwise challenges the construction or validity of a statute, as part of a claim or affirmative defense, that party shall provide a copy of the pleading to the speaker of the house of representatives and the president pro tempore of the senate within fourteen days of filing the pleading with the court. The speaker of the house of representatives and the president pro tempore of the senate may intervene to defend against the action at any time in the action as a matter of right by serving motion upon the parties as provided by applicable rules of civil procedure.

6. The speaker of the house of representatives may intervene at any time in an action on behalf of the house of representatives. The speaker may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the house of representatives in any action in which the speaker intervenes.

7. The president pro tempore of the senate may intervene at any time in an action on behalf of the senate. The president pro tempore may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the senate in any action in which the president pro tempore intervenes.

8. The president pro tempore of the senate and the speaker of the house of representatives, acting jointly, may intervene at any time in an action on behalf of the general assembly. The president pro tempore and the speaker, acting jointly, may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the general assembly in any action in which the president pro tempore and speaker jointly intervene.

9. No individual member, or group of members, of the senate or of the house of representatives, except the president pro tempore and the speaker as provided under this section, shall intervene in an action described in this section or obtain legal counsel at public expense under this section in the member's or group's capacity as a member or members of the senate or the house of representatives.

10. Notwithstanding any contrary provision of law, the participation of the speaker of the house of representatives or the president pro tempore of the senate in any state or federal action, as a party or otherwise, does not constitute a waiver of the legislative immunity or legislative privilege of any member, officer, or staff of the general assembly.

SECTION 3. AUDITS REQUIRED BY SUBSECTION 6 OF SECTION 115.225 CONDUCTED BY SECRETARY OF STATE SHALL BE SOLELY PAID FOR BY STATE AND FEDERAL FUNDING. — All

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Matter in bold-face type is proposed language.

audits required by subsection 6 of section 115.225 that are conducted by the secretary of state shall be solely paid for by state and federal funding.

[115.755. PRESIDENTIAL PRIMARY, WHEN HELD. — ~~A statewide presidential preference primary shall be held on the second Tuesday after the first Monday in March of each presidential election year.]~~

[115.758. OFFICIAL LIST OF CANDIDATES ANNOUNCED, WHEN. — ~~On or before the tenth Tuesday prior to the date of the presidential preference primary, the secretary of state shall announce the official list of presidential candidates for each established political party as provided in section 115.761.]~~

[115.761. OFFICIAL LIST OF CANDIDATES, HOW INCLUDED, FILING FEE — NAME REMOVED, HOW — BALLOT FORM, CONTENT. — ~~1. The official list of presidential candidates for each established political party shall include the names of all constitutionally qualified candidates for whom, on or after 8:00 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior to the presidential primary, a written request to be included on the presidential primary ballot is filed with the secretary of state along with:~~

~~(1) Receipt of payment to the state committee of the established political party on whose ballot the candidate wishes to appear of a filing fee of five thousand dollars; or~~

~~(2) A written statement, sworn to before an officer authorized by law to administer oaths, that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or committee to pay the filing fee and a petition signed by not less than five thousand registered Missouri voters, as determined by the secretary of state, that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall include each signer's printed name, registered address and signature and shall be in substantially the following form:~~

~~I (We) the undersigned, do hereby request that the name of _____ be placed upon the February _____, _____, presidential primary ballot as candidate for nomination as the nominee for President of the United States on the _____ party ticket.~~

~~2. The state or national party organization of an established political party that adopts rules imposing signature requirements to be met before a candidate can be listed as an official candidate shall notify the secretary of state by October first of the year preceding the presidential primary.~~

~~3. Any candidate or such candidate's authorized representative may have such candidate's name stricken from the presidential primary ballot by filing with the secretary of state on or before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written statement, sworn to before an officer authorized by law to administer oaths, requesting that such candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state shall not include the name of that candidate in the official list announced pursuant to section 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.~~

~~4. The filing times set out in this section shall only apply to presidential preference primaries, and are in lieu of those established in section 115.349.]~~

[115.765. CERTIFIED LIST OF CANDIDATES, ORDER OF APPEARANCE ON BALLOT, PROCEDURE. — ~~On or before the tenth Tuesday prior to a presidential preference primary, the secretary of state shall transmit to each election authority a certified list containing the names of all candidates whose names shall appear on the presidential preference primary ballot of each party. The names of the~~

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Matter in bold-face type is proposed language.

~~candidates shall appear in the order in which their request to be included on the presidential primary ballot was received in the office of the secretary of state, except that, in the case of candidates who file a request to be included on the presidential primary ballot with the secretary of state prior to 5:00 p.m. on the first day for filing, the secretary of state shall determine by random drawing the order in which such candidates' names shall appear on the ballot. The drawing shall be conducted so that each candidate, or candidate's representative, may draw a number at random at the time of filing. The secretary of state shall record the number drawn with the candidate's request to be included on the presidential primary ballot. The names of candidates filing on the first day for filing on each party ballot shall be listed in ascending order of the numbers so drawn.]~~

~~[115.767. NAMES TO APPEAR ON BALLOT. — Each election authority shall cause the name of candidates certified by the secretary of state to appear on the presidential preference primary ballot of each party, followed by a listing for an uncommitted vote.]~~

~~[115.770. CONDUCT OF PRIMARY. — The conduct of the presidential preference primary election and the count and canvass of the votes cast therein shall conform as nearly as is practicable to that prescribed for the conduct of the primary election for state officers. All primary election laws not inconsistent with the provisions of sections 115.750 to 115.785 shall be applicable to the conduct of this election, and the form of the ballot insofar as is practicable shall be substantially as that prescribed by section 115.395. In a presidential preference primary, each voter shall be entitled to receive the ballot of one and only one established political party, designated by the voter before receiving such voter's ballot. Each voter who participates in a presidential preference primary shall be entitled to vote on all questions and for any candidates submitted by political subdivisions and special districts at the general municipal election. Each voter who does not wish to participate in a presidential preference primary may vote on all questions and for any candidates submitted by a political subdivision or special district at the general municipal election.]~~

~~[115.773. DUTY TO NOTIFY STATE CHAIR OF PARTIES. — After the count and canvass of the votes cast, the secretary of state shall notify the state chair of each of the established political parties for whom a candidate was listed, of the number of votes recorded in that established political party's primary that each candidate and uncommitted listing received.]~~

~~[115.785. COSTS OF PRIMARY TO BE PAID BY STATE, EXCEPTIONS. — All costs of a presidential preference primary shall be paid by the state, except that, pursuant to section 115.065, costs shall be shared proportionately by the state and any political subdivisions and special districts holding an election on the same day as any such primary. For any county with more than five hundred polling places, the state shall assist in assuring adequate poll workers and equipment.]~~

Approved June 29, 2022

SS HCS HB 2005

Enacts provisions relating to eminent domain for certain utilities.

AN ACT to repeal sections 523.010, 523.039, 523.040, and 523.256, RSMo, and to enact in lieu thereof five new sections relating to eminent domain for certain utilities.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION

- A Enacting clause.
- 523.010 Lands may be condemned, when — petition — parties — power of public utility to condemn certain lands, limitation.
- 523.025 Involuntary easement by eminent domain by electrical corporation, financial commitments to project required — failure, remedy.
- 523.039 Just compensation for condemned property, amount.
- 523.040 Appointment of commissioners — duties — notice of property viewing.
- 523.256 Good faith negotiation required, findings, remedies.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 523.010, 523.039, 523.040, and 523.256, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 523.010, 523.025, 523.039, 523.040, and 523.256, to read as follows:

523.010. LANDS MAY BE CONDEMNED, WHEN — PETITION — PARTIES — POWER OF PUBLIC UTILITY TO CONDEMN CERTAIN LANDS, LIMITATION. — 1. In case land, or other property, is sought to be appropriated by any road, railroad, street railway, telephone, telegraph or any electrical corporation organized for the manufacture or transmission of electric current for light, heat or power, including the construction, when that is the case, of necessary dams and appurtenant canals, flumes, tunnels and tailraces and including the erection, when that is the case, of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations or any oil, pipeline or gas corporation engaged in the business of transporting or carrying oil, liquid fertilizer solutions, or gas by means of pipes or pipelines laid underneath the surface of the ground, or other corporation created under the laws of this state for public use, and such corporation and the owners cannot agree upon the proper compensation to be paid, or in the case the owner is incapable of contracting, be unknown, or be a nonresident of the state, such corporation may apply to the circuit court of the county of this state where such land or any part thereof lies by petition setting forth the general directions in which it is desired to construct its road, railroad, street railway, telephone, or telegraph line or electric line, including, when that is the case, the construction and maintenance of necessary dams and appurtenant canals, tunnels, flumes and tailraces and, when that is the case, the appropriation of land submerged by the construction of such dam, and including the erection and maintenance, when that is the case, of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations, or oil, pipeline, liquid fertilizer solution pipeline, or gas line over or underneath the surface of such lands, a description of the real estate, or other property, which the company seeks to acquire; the names of the owners thereof, if known; or if unknown, a pertinent description of the property whose owners are unknown and praying the appointment of three disinterested residents of the county, as commissioners, or a jury, to assess the damages which such owners may severally sustain in consequence of the establishment, erection and maintenance of such road, railroad, street railway, telephone, telegraph line, or electrical line including damages from the construction and maintenance of necessary dams and the condemnation of land submerged thereby, and the construction and maintenance of appurtenant canals, flumes, tunnels and tailraces and the erection and maintenance of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations, or oil, pipeline, or gas line over or underneath the surface of such lands; to which petition the owners of any or all as the plaintiff may elect of such parcels as lie within the county or circuit may be made parties defendant by names if the names are known, and by the description of the unknown owners of the land therein described if their names are unknown.

2. If the proceedings seek to affect the lands of persons under conservatorship, the conservators must be made parties defendant. If the present owner of any land to be affected has less estate than a fee, the person having the next vested estate in remainder may at the option of the petitioners be made

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party defendant; but if such remaindermen are not made parties, their interest shall not be bound by the proceedings.

3. It shall not be necessary to make any persons party defendants in respect to their ownership unless they are either in actual possession of the premises to be affected claiming title or having a title of the premises appearing of record upon the proper records of the county.

4. Except as provided in subsection 5 of this section, nothing in this chapter shall be construed to give a public utility, as defined in section 386.020, or a rural electric cooperative, as provided in chapter 394, the power to condemn property which is currently used by another provider of public utility service, including a municipality or a special purpose district, when such property is used or useful in providing utility services, if the public utility or cooperative seeking to condemn such property, directly or indirectly, will use or proposes to use the property for the same purpose, or a purpose substantially similar to the purpose for which the property is being used by the provider of the public utility service.

5. A public utility or a rural electric cooperative may only condemn the property of another provider of public utility service, even if the property is used or useful in providing utility services by such provider, if the condemnation is necessary for the public purpose of acquiring a nonexclusive easement or right-of-way across the property of such provider and only if the acquisition will not materially impair or interfere with the current use of such property by the utility or cooperative and will not prevent or materially impair such provider of public utility service from any future expansion of its facilities on such property.

6. If a public utility or rural electric cooperative seeks to condemn the property of another provider of public utility service, and the conditions in subsection 4 of this section do not apply, this section does not limit the condemnation powers otherwise possessed by such public utility or rural electric cooperative.

7. Suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation established under Article VI, Section 30(a) of the Missouri Constitution shall be brought only in the county where such land or any part thereof lies.

8. **For purposes of this chapter, the authority for an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, to condemn property for purposes of constructing an electric plant subject to a certificate of public convenience and necessity under subsection 1 of section 393.170 shall not extend to the construction of a merchant transmission line with Federal Energy Regulatory Commission negotiated rate authority unless such line has a substation or converter station located in Missouri which is capable of delivering an amount of its electrical capacity to electrical customers in this state that is greater than or equal to the proportionate number of miles of the line that passes through the state. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.**

523.025. INVOLUNTARY EASEMENT BY EMINENT DOMAIN BY ELECTRICAL CORPORATION, FINANCIAL COMMITMENTS TO PROJECT REQUIRED — FAILURE, REMEDY. — If an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, acquires any involuntary easement in this state by means of eminent domain and does not obtain the financial commitments necessary to construct a project for which the involuntary easement was needed in this state within seven years of the date that such easement rights are recorded with the appropriate county recorder of deeds, the corporation shall return possession of the easement to the fee simple title holder within sixty days and cause the dissolution of the easement to be recorded with the county recorder of deeds. In the event of such return of the easement to the title holder, no reimbursement of any payment made by the corporation to the title holder shall be due.

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Matter in bold-face type is proposed language.

523.039. JUST COMPENSATION FOR CONDEMNED PROPERTY, AMOUNT. — 1. In all ~~[condemnation]~~ **eminent domain** proceedings filed after December 31, 2006, just compensation for condemned property shall be determined under one of the three following subdivisions, whichever yields the highest compensation, as applicable to the particular type of property and taking:

- (1) An amount equivalent to the fair market value of such property;
- (2) For condemnations that result in a homestead taking, an amount equivalent to the fair market value of such property multiplied by one hundred twenty-five percent; or
- (3) For condemnations of property that result in any taking that prevents the owner from utilizing property in substantially the same manner as it was currently being utilized on the day of the taking and involving property owned within the same family for fifty or more years, an amount equivalent to the sum of the fair market value and heritage value. For the purposes of this subdivision, family ownership of property may be established through evidence of ownership by children, grandchildren, siblings, or nephews or nieces of the family member owning the property fifty years prior to the taking; and in addition, may be established through marriage or adoption by such family members. If any entity owns the real property, members of the family shall have an ownership interest in more than fifty percent of the entity in order to be within the family line of ownership for the purposes of this subdivision. The property owner shall have the burden of proving to the commissioners or ~~[jury]~~ **court** that the property has been owned within the same family for fifty or more years.

2. For eminent domain proceedings of any agricultural or horticultural property by an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, for the purposes of constructing an electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170 just compensation shall be an amount equivalent to fair market value multiplied by one hundred fifty percent, as determined by the court. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.

523.040. APPOINTMENT OF COMMISSIONERS — DUTIES — NOTICE OF PROPERTY VIEWING. — 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus

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assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.

4. **In any eminent domain proceeding involving agricultural or horticultural property, for purposes of constructing an electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170 at least one of the disinterested commissioners appointed by the court shall be a farmer who has been engaged in farming, as defined in section 350.010, for a minimum of ten years in the county where such property is situated. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.**

523.256. GOOD FAITH NEGOTIATION REQUIRED, FINDINGS, REMEDIES. — Before a court may enter an order of condemnation, the court shall find that the condemning authority engaged in good faith negotiations prior to filing the condemnation petition. A condemning authority shall be deemed to have engaged in good faith negotiations if:

(1) It has properly and timely given all notices to owners required by this chapter;

(2) Its offer under section 523.253 was no lower than the amount reflected in an appraisal performed by a state-licensed or state-certified appraiser for the condemning authority, provided an appraisal is given to the owner pursuant to subsection 2 of section 523.253 or, in other cases, the offer is no lower than the amount provided in the basis for its determination of the value of the property as provided to the owner under subsection 2 of section 523.253;

(3) **For condemnation of any agricultural or horticultural property for the construction of an electrical transmission line designed to transmit electricity at three hundred forty-five kilovolts or greater, but not for condemnation of such property by an electrical corporation operating under a cooperative business plan as described in section 393.110, for the purposes of constructing an electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170, the total compensation package offered was no lower than the amount reflected in an appraisal performed by a state-licensed or state-certified appraiser for the condemning authority multiplied by one hundred fifty percent. The provisions of this subdivision shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022;**

~~[(3)]~~ (4) The owner has been given an opportunity to obtain his or her own appraisal from a state-licensed or state-certified appraiser of his or her choice; and

~~[(4)]~~ (5) Where applicable, it has considered an alternate location suggested by the owner under section 523.265.

If the court does not find that good faith negotiations have occurred, the court shall dismiss the condemnation petition, without prejudice, and shall order the condemning authority to reimburse the owner for his or her actual reasonable attorneys' fees and costs incurred with respect to the condemnation proceeding which has been dismissed.

Approved June 11, 2022

SS SCS HCS HBs 2116, 2097, 1690 & 2221

Enacts provisions relating to the visitation rights of patients.

AN ACT to amend chapters 191 and 630, RSMo, by adding thereto three new sections relating to the visitation rights of patients.

SECTION

- A Enacting clause.
- 191.1400 Citation of law — definitions — compassionate care visits to be permitted, policy — limitations — informational materials — violations may be reported — immunity from liability, when.
- 191.2290 Citation of law — definitions — state of emergency, designated essential caregiver designation — requirements.
- 630.202 Essential caregiver designation, procedure, requirements.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Chapters 191 and 630, RSMo, are amended by adding thereto three new sections, to be known as sections 191.1400, 191.2290, and 630.202, to read as follows:

191.1400. CITATION OF LAW — DEFINITIONS — COMPASSIONATE CARE VISITS TO BE PERMITTED, POLICY — LIMITATIONS — INFORMATIONAL MATERIALS — VIOLATIONS MAY BE REPORTED — IMMUNITY FROM LIABILITY, WHEN. — 1. This section shall be known and may be cited as the "No Patient Left Alone Act".

2. For purposes of this section, the following terms mean:

(1) "Compassionate care visitor", a patient's or resident's friend, family member, or other person requested by the patient or resident for the purpose of a compassionate care visit;

(2) "Compassionate care visit", a visit necessary to meet the physical or mental needs of the patient or resident, including, but not limited to:

(a) For end-of-life situations, including making decisions regarding end-of-life care during in-person contact or communication with the compassionate care visitor;

(b) For adjustment support or communication support, including, but not limited to, assistance with hearing and speaking;

(c) For emotional support;

(d) For physical support after eating or drinking issues, including weight loss or dehydration;

or

(e) For social support;

(3) "Health care facility", a hospital, as defined in section 197.020, a long-term care facility licensed under chapter 198, or a hospice facility certified under chapter 197.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

3. A health care facility shall allow a patient or resident, or his or her legal guardian, to permit at least two compassionate care visitors simultaneously to have in-person contact with the patient or resident during visiting hours. Compassionate care visitation hours shall be no less than six hours daily and shall include evenings, weekends, and holidays. Health care facilities shall be permitted to place additional restrictions on children under the age of fourteen who are compassionate care visitors.

4. Health care facilities shall have a visitation policy that allows, at a minimum:

(1) Twenty-four hour attendance by a compassionate care visitor when reasonably appropriate;

(2) A compassionate care visitor to leave and return within the hours of the visitation policy. A patient or resident may receive multiple compassionate care visitors during visitation hours, subject to the provisions of subsection 3 of this section; and

(3) Parents with custody or unsupervised visitation rights, legal guardians, and other persons standing in loco parentis to be physically present with a minor child while the child receives care in the facility.

5. This section shall not affect any obligation of a health care facility to:

(1) Provide patients or residents with effective communication supports or other reasonable accommodations in accordance with federal and state laws to assist in remote personal contact; and

(2) Comply with the provisions of the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq.

6. A health care facility may limit:

(1) The number of visitors per patient or resident at one time based on the size of the building and physical space;

(2) Movement of visitors within the health care facility, including restricting access to operating rooms, isolation rooms or units, behavioral health units, or other commonly restricted areas; and

(3) Access of any person to a patient:

(a) At the request of the patient or resident, or the legal guardian of such;

(b) At the request of a law enforcement agency for a person in custody;

(c) Due to a court order;

(d) To prevent substantial disruption to the care of a patient or resident or the operation of the facility;

(e) During the administration of emergency care in critical situations;

(f) If the person has measurable signs and symptoms of a transmissible infection; except that, the health care facility shall allow access through telephone or other means of telecommunication that ensure the protection of the patient or resident;

(g) If the health care facility has reasonable cause to suspect the person of being a danger or otherwise contrary to the health or welfare of the patient or resident, other patients or residents, or facility staff; or

(h) If, in the clinical judgment of the patient's or resident's attending physician, the presence of visitors would be medically or therapeutically contraindicated to the health or life of the patient or resident, and the attending physician attests to such in the patient's or resident's chart.

7. Nothing in this section shall limit a health care facility from limiting or redirecting visitors of a patient or resident in a shared room to ensure the health and safety of the patients or residents in the shared room. Nothing in this section shall be construed to prohibit health care facilities from adopting reasonable safety or security restrictions or other requirements for visitors.

8. Nothing in this section shall be construed to waive or change long-term care facility residents' rights under sections 198.088 and 198.090.

9. No later than January 1, 2023, the department of health and senior services shall develop informational materials for patients, residents, and their legal guardians, regarding the provisions of this section. A health care facility shall make these informational materials accessible upon admission or registration and on the primary website of the health care facility.

10. A compassionate care visitor of a patient or resident of a health care facility may report any violation of the provisions of this section by a health care facility to the department of health and senior services. The department shall begin investigating any such complaint filed under this subsection within thirty-six hours of receipt of the complaint. The purpose of such investigation shall be to ensure compliance with the provisions of this section and any such investigation shall otherwise comply with the complaint processes established by section 197.080 for a hospital, section 197.268 for a hospice facility, and section 198.532 for a long-term care facility.

11. No health care facility shall be held liable for damages in an action involving a liability claim against the facility arising from the compliance with the provisions of this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct and shall be provided in addition to, and shall in no way limit, any other immunity protections that may apply in state or federal law.

12. The provisions of this section shall not be terminated, suspended, or waived except by a declaration of emergency under chapter 44, during which time the provisions of sections 191.2290 and 630.202 shall apply.

191.2290. CITATION OF LAW — DEFINITIONS — STATE OF EMERGENCY, DESIGNATED ESSENTIAL CAREGIVER DESIGNATION — REQUIREMENTS. — 1. The provisions of this section and section 630.202 shall be known and may be cited as the "Essential Caregiver Program Act".

2. As used in this section, the following terms mean:

(1) "Department", the department of health and senior services;

(2) "Essential caregiver", a family member, friend, guardian, or other individual selected by a facility resident or patient who has not been adjudged incapacitated under chapter 475, or the guardian or legal representative of the resident or patient;

(3) "Facility", a hospital licensed under chapter 197 or a facility licensed under chapter 198.

3. During a state of emergency declared pursuant to chapter 44 relating to infectious, contagious, communicable, or dangerous diseases, a facility shall allow a resident or patient who has not been adjudged incapacitated under chapter 475, a resident's or patient's guardian, or a resident's or patient's legally authorized representative to designate an essential caregiver for in-person contact with the resident or patient in accordance with the standards and guidelines developed by the department under this section. Essential caregivers shall be considered as part of the resident's or patient's care team, along with the resident's or patient's health care providers and facility staff.

4. The facility shall inform, in writing, residents and patients who have not been adjudged incapacitated under chapter 475, or guardians or legal representatives of residents or patients, of the "Essential Caregiver Program" and the process for designating an essential caregiver.

5. The department shall develop standards and guidelines concerning the essential caregiver program, including, but not limited to, the following:

(1) The facility shall allow at least two individuals per resident or patient to be designated as essential caregivers, although the facility may limit the in-person contact to one caregiver at a time. The caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(2) The facility shall establish a reasonable in-person contact schedule to allow the essential caregiver to provide care to the resident or patient for at least four hours each day, including

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Matter in bold-face type is proposed language.

evenings, weekends, and holidays, but shall allow for twenty-four-hour in-person care as necessary and appropriate for the well-being of the resident or patient. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(3) The facility shall establish procedures to enable physical contact between the resident or patient and the essential caregiver. The facility may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of facility employees;

(4) The facility shall specify in its protocols the criteria that the facility will use if it determines that in-person contact by a particular essential caregiver is inconsistent with the resident's or patient's therapeutic care and treatment or is a safety risk to other residents, patients, or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven days to determine if the limitations remain appropriate; and

(5) The facility may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under this subsection.

6. (1) A facility may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven days. The department may deny the facility's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk. A facility may request from the department an extension of a suspension for more than seven days; provided, that the department shall not approve an extension period for longer than seven days at a time. A facility shall not suspend in-person caregiver contact for more than fourteen consecutive days in a twelve-month period or for more than forty-five total days in a twelve-month period.

(2) The department shall suspend in-person contact by essential caregivers under this section if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the resident's or patient's care team.

(3) The attorney general shall institute all suits necessary on behalf of the state to defend the right of the state to implement the provisions of this section to ensure access by residents and patients to essential caregivers as part of their care team.

7. The provisions of this section shall not be construed to require an essential caregiver to provide necessary care to a resident or patient and a facility shall not require an essential caregiver to provide necessary care.

8. The provisions of this section shall not apply to those residents or patients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reasons for the declared state emergency.

9. A facility, its employees, and its contractors shall be immune from civil liability for an injury or harm caused by or resulting from:

(1) Exposure to a contagious disease or other harmful agent that is specified during the state of emergency declared pursuant to chapter 44; or

(2) Acts or omissions by essential caregivers who are present in the facility;

as a result of the implementation of the essential caregiver program under this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct.

630.202. ESSENTIAL CAREGIVER DESIGNATION, PROCEDURE, REQUIREMENTS. — 1. As used in this section, the following terms mean:

(1) "Department", the department of mental health;

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Matter in bold-face type is proposed language.

(2) "Essential caregiver", a family member, friend, guardian, or other individual selected by a facility resident or client who has not been adjudged incapacitated under chapter 475, or the guardian or legal representative of the resident or client;

(3) "Facility", a facility operated, licensed, or certified by the department.

2. During a state of emergency declared pursuant to chapter 44 relating to infectious, contagious, communicable, or dangerous diseases, a facility shall allow a resident or client who has not been adjudged incapacitated under chapter 475, a resident's or client's guardian, or a resident's or client's legally authorized representative to designate an essential caregiver for in-person contact with the resident or client in accordance with the standards and guidelines developed by the department under this section. Essential caregivers shall be considered a part of the resident's or client's care team, along with the resident's or client's health care providers and facility staff.

3. The facility shall inform, in writing, residents and clients who have not been adjudged incapacitated under chapter 475, or guardians or legal representatives of residents or clients, of the "Essential Caregiver Program" and the process for designating an essential caregiver.

4. The department shall develop standards and guidelines concerning the essential caregiver program, including, but not limited to, the following:

(1) The facility shall allow at least two individuals per resident or client to be designated as essential caregivers, although the facility may limit the in-person contact to one caregiver at a time. The caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(2) The facility shall establish a reasonable in-person contact schedule to allow the essential caregiver to provide care to the resident or client for at least four hours each day, including evenings, weekends, and holidays, but shall allow for twenty-four-hour in-person care as necessary and appropriate for the well-being of the resident or client and consistent with the safety and security of the facility's staff and other residents or clients. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(3) The facility shall establish procedures to enable physical contact between the resident or client and the essential caregiver. The facility may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of facility employees;

(4) The facility shall specify in its protocols the criteria that the facility will use if it determines that in-person contact by a particular essential caregiver is inconsistent with the resident's or client's therapeutic care and treatment or is a safety risk to other residents, clients, or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven days to determine if the limitations remain appropriate; and

(5) The facility may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under this subsection.

5. (1) A facility may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven days. The department may deny the facility's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk. A facility may request from the department an extension of a suspension for more than seven days; provided, that the department shall not approve an extension period for longer than seven days at a time. A facility shall not suspend in-person caregiver visitation for more than fourteen consecutive days in a twelve-month period or for more than forty-five total days in a twelve-month period.

(2) The department shall suspend in-person contact by essential caregivers under this section if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the resident's or client's care team.

(3) The attorney general shall institute all suits necessary on behalf of the state to defend the right of the state to implement the provisions of this section to ensure access by residents and clients to essential caregivers as part of their care team.

6. The provisions of this section shall not be construed to require an essential caregiver to provide necessary care to a resident or client and a facility shall not require an essential caregiver to provide necessary care.

7. The provisions of this section shall not apply to those residents or clients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reason for the declared state of emergency.

8. A facility, its employees, and its contractors shall be immune from civil liability for an injury or harm caused by or resulting from:

(1) Exposure to a contagious disease or other harmful agent that is specified during the state of emergency declared pursuant to chapter 44; or

(2) Acts or omissions by essential caregivers who are present in the facility;

as a result of the implementation of the essential caregiver program under this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct.

Approved June 30, 2022

CCS #2 SS HB 2149

Enacts provisions relating to professional licensing, with an emergency clause for a certain section.

AN ACT to repeal sections 197.400, 197.445, 327.312, 327.313, 327.314, 327.331, 334.100, 334.530, 334.655, 338.055, 345.015, and 345.050, RSMo, and to enact in lieu thereof seventeen new sections relating to professional licensing, with an emergency clause for a certain section.

SECTION

- A Enacting clause.
- 197.400 Definitions.
- 197.445 Rules and regulations, procedure.
- 324.005 Licensure reciprocity for military members and personnel, when.
- 327.312 Land surveyor-in-training applicant for enrollment, qualifications — certificate issued when.
- 327.313 Application for enrollment, form, content, false affidavit, penalty, fee.
- 327.314 Professional land surveyor, applicant for license, qualifications.
- 327.331 Examinations, land surveyor-in-training and land surveyors — notice — content — grade required to pass — effect.
- 332.325 Medically underserved populations, pilot project — requirements — rulemaking authority — expiration date.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

- 334.100 Denial, revocation or suspension of license, alternatives, grounds for — reinstatement provisions.
- 334.530 Qualifications for license — examinations, scope.
- 334.655 Physical therapist assistant, educational requirements — board examination, applications — written examination — examination topics — examination not required, when.
- 338.055 Denial, revocation or suspension of license, grounds for — expedited procedure — temporary authority, when.
- 345.015 Definitions.
- 345.022 Provisional license, requirements.
- 345.050 Requirements to be met for license.
- 345.052 Licensure reciprocity for military, when.
- 345.085 Audiology and speech-language pathology compact.
 - B Emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 197.400, 197.445, 327.312, 327.313, 327.314, 327.331, 334.100, 334.530, 334.655, 338.055, 345.015, and 345.050, RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 197.400, 197.445, 324.005, 327.312, 327.313, 327.314, 327.331, 332.325, 334.100, 334.530, 334.655, 338.055, 345.015, 345.022, 345.050, 345.052, and 345.085, to read as follows:

197.400. DEFINITIONS. — As used in sections 197.400 to 197.475, unless the context otherwise requires, the following terms mean:

- (1) "Council", the home health services advisory council created by sections 197.400 to 197.475;
- (2) "Department", the department of health and senior services;
- (3) "Home health agency", a public agency or private organization or a subdivision or subunit of an agency or organization that provides two or more home health services at the residence of a patient according to a ~~[physician's]~~ written ~~[and signed]~~ plan of treatment **signed by a physician, nurse practitioner, clinical nurse specialist, or physician assistant**;
- (4) "Home health services", any of the following items and services provided at the residence of the patient on a part-time or intermittent basis: nursing, physical therapy, speech therapy, occupational therapy, home health aid, or medical social service;
- (5) "Nurse practitioner, clinical nurse specialist", **a person recognized by the state board of nursing pursuant to the provisions of chapter 335 to practice in this state as a nurse practitioner or clinical nurse specialist**;
- (6) "Part-time or intermittent basis", the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;
- ~~[(6)]~~ (7) "Patient's residence", the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;
- ~~[(7)]~~ (8) "Physician", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician and surgeon;
- (9) "Physician assistant", **a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician assistant**;
- ~~[(8)]~~ (10) "Plan of treatment", a plan reviewed and signed as often as ~~[medically]~~ necessary by a physician ~~[or]~~, podiatrist, **nurse practitioner, clinical nurse specialist, or a physician assistant**, not to exceed sixty days in duration, **and reviewed by a physician at least once every six months**, prescribing items and services for an individual patient's condition;
- ~~[(9)]~~ (11) "Podiatrist", a person licensed by the state board of podiatry pursuant to the provisions of chapter 330 to practice in this state as a podiatrist;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

~~[(10)]~~ (12) "Subunit" or "subdivision", any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of sections 197.400 to 197.475 independent of the larger organization, which can be held accountable for the care of patients it is serving, and which provides to all patients care and services meeting the standards and requirements of sections 197.400 to 197.475.

197.445. RULES AND REGULATIONS, PROCEDURE. — 1. The department may adopt reasonable rules and standards necessary to carry out the provisions of sections 197.400 to 197.477. The rules and standards adopted shall not be less than the standards established by the federal government for home health agencies under Title XVIII of the Federal Social Security Act. The reasonable rules and standards shall be initially promulgated within one year of September 28, 1983.

2. The rules and standards adopted by the department pursuant to the provisions of sections 197.400 to 197.477 shall apply to all health services covered by sections 197.400 to 197.477 rendered to any patient being served by a home health agency regardless of source of payment for the service, patient's condition, or place of residence, at which the home health services are ordered by the physician ~~[or]~~, podiatrist, **nurse practitioner, clinical nurse specialist, or physician assistant**. No rule or portion of a rule promulgated pursuant to the authority of sections 197.400 to 197.477 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

324.005. LICENSURE RECIPROCITY FOR MILITARY MEMBERS AND PERSONNEL, WHEN. —

1. Notwithstanding any requirements for licensure for all professional boards, commissions, committees, and offices within the division of professional registration to the contrary, a professional who has a current license to practice from another state, commonwealth, territory, or the District of Columbia shall be exempt from the licensure requirements of his or her respective licensure board in this state if:

(1) The professional is an active duty or reserve member of the Armed Forces of the United States, a member of the National Guard, a civilian employee of the United States Department of Defense, an authorized services contractor under 10 U.S.C. Section 1091, or a professional otherwise authorized by the United States Department of Defense;

(2) The professional practices the same occupation or profession at the same practice level for which he or she holds a current license; and

(3) The professional is engaged in the practice of a professional through a partnership with the federal Innovative Readiness Training program within the United States Department of Defense.

2. The exemption provided in this section shall not permit a professional to engage in practice except as part of the federal Innovative Readiness Training program within the United States Department of Defense. The exemption shall only apply while:

(1) The professional's practice is required by the program pursuant to military orders; and

(2) The services provided by the professional are within the scope of practice for the individual's respective profession in this state.

327.312. LAND SURVEYOR-IN-TRAINING APPLICANT FOR ENROLLMENT, QUALIFICATIONS

— **CERTIFICATE ISSUED WHEN.** — 1. **Prior to January 1, 2024**, any person may apply to the board for enrollment as a land surveyor-in-training who is a high school graduate, or who holds a Missouri certificate of high school equivalence (GED), and either:

(1) Has graduated and received a baccalaureate degree in an approved curriculum as defined by board regulation which shall include at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in the legal aspects of boundary surveying; or

(2) Has passed at least sixty hours of college credit which shall include credit for at least twenty semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of boundary surveying and present evidence satisfactory to the board that in addition thereto such person has at least one year of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor; or

(3) Has passed at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of land surveying and in addition thereto has at least two years of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor. Pursuant to this provision, not more than one year of satisfactory postsecondary education work shall count as equivalent years of satisfactory land surveying work as aforementioned.

2. The board shall issue a certificate of completion to each applicant who satisfies the requirements of the aforementioned land surveyor-in-training program and passes such examination or examinations as shall be required by the board.

3. Beginning January 1, 2024, any person may apply to the board for enrollment as a land surveyor-intern who is a high school graduate, or who holds a certificate of high school equivalence (GED), and has passed any examination required by the board pursuant to section 327.331.

327.313. APPLICATION FOR ENROLLMENT, FORM, CONTENT, FALSE AFFIDAVIT, PENALTY, FEE. — Applications for enrollment as a land ~~surveyor-in-training~~ **surveyor-intern** shall be typewritten on prescribed forms furnished to the applicant. The application shall contain applicant's statements showing the applicant's education, experience, and such other pertinent information as the board may require. Each application shall contain a statement that it is made under oath or affirmation and that the representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

327.314. PROFESSIONAL LAND SURVEYOR, APPLICANT FOR LICENSE, QUALIFICATIONS. — **1. Prior to January 1, 2024,** any person may apply to the board for licensure as a professional land surveyor who has been enrolled as a land surveyor-in-training and has presented evidence to the satisfaction of the board that said person has acquired at least four years of satisfactory professional field and office experience in land surveying from the date of enrollment as a land surveyor-in-training. This experience shall have been under the immediate personal supervision of a professional land surveyor.

2. Beginning January 1, 2024, any person may apply to the board for licensure who presents evidence satisfactory to the board that the applicant has met the requirements as provided in this subsection:

(1) An applicant shall be a high school graduate or hold a certificate of high school equivalence (GED), and either:

(a) Has graduated and received a baccalaureate degree in an approved curriculum, as defined by the board, which shall include at least fifteen semester hours of approved surveying course work, as defined by the board, of which at least six semester hours shall be in the legal aspects of boundary surveying; or

(b) Has passed at least sixty hours of college credit which shall include at least fifteen semester hours of approved surveying course work, as defined by the board, of which at least six semester hours shall be in legal aspects of boundary surveying; or

(c) Has passed at least fifteen semester hours of approved surveying coursework, as defined by the board, of which at least six semester hours shall be in legal aspects of land surveying;

(d) An applicant meeting the requirements of paragraph (a) of this subdivision shall have acquired at least four years of satisfactory field and office experience in land surveying under the immediate personal supervision of a professional land surveyor;

(e) An applicant meeting the requirements of paragraph (b) of this subdivision shall have acquired at least five years of satisfactory field and office experience in land surveying under the immediate personal supervision of a professional land surveyor;

(f) An applicant meeting the requirements of paragraph (c) of this subdivision shall have acquired at least six years of satisfactory field and office experience in land surveying under the immediate personal supervision of a professional land surveyor. Pursuant to this provision, up to one year of post-secondary education, approved by the board, may count as equivalent work experience;

(2) An applicant shall pass any examinations required by the board pursuant to section 327.331;

(3) Any person enrolled as a land surveyor-in-training prior to January 1, 2024, shall only be required to meet the requirements in place pursuant to their enrollment.

327.331. EXAMINATIONS, LAND SURVEYOR-IN-TRAINING AND LAND SURVEYORS — NOTICE — CONTENT — GRADE REQUIRED TO PASS — EFFECT. — 1. After it has been determined that an applicant possesses the qualifications entitling the applicant to be examined, each applicant for examination and enrollment as a land surveyor-in-training and for examination and licensure as a professional land surveyor in Missouri shall appear before the board or its representatives for examination at the time and place specified.

2. The examination or examinations shall be of such form, content and duration as shall be determined by the board to thoroughly test the qualifications of each applicant to become enrolled as a land ~~surveyor-in-training~~ **surveyor-intern** or to become licensed as a professional land surveyor in Missouri.

3. Any applicant to be eligible for enrollment or for license must make a grade on the applicable examination of at least seventy percent.

4. Any person who passes the examination hereinabove specified shall be entitled to be enrolled as a land ~~surveyor-in-training~~ **surveyor-intern** or licensed as a professional land surveyor, as the case may be, in Missouri and shall receive a certificate of enrollment or a license, as the case may be.

332.325. MEDICALLY UNDERSERVED POPULATIONS, PILOT PROJECT — REQUIREMENTS — RULEMAKING AUTHORITY — EXPIRATION DATE. — 1. The Missouri dental board may collaborate with the department of health and senior services and the office of dental health within the department of health and senior services to approve pilot projects designed to examine new methods of extending care to medically underserved populations, as defined in 42 U.S.C. Section 300e-1(7). These pilot projects may employ techniques or approaches to care that may necessitate a waiver of the requirements of this chapter and regulations promulgated thereunder; provided:

(1) The project plan has a clearly stated objective of serving a specific underserved population that warrants, in the opinion of a majority of the board, granting approval for a pilot project;

(2) The project has a finite start date and termination date;

(3) The project clearly defines the new techniques or approaches it intends to examine to determine if it results in an improvement in access or quality of care;

(4) The project plan identifies specific and limited locations and populations to participate in the pilot project;

(5) The project plan clearly establishes minimum guidelines and standards for the pilot project, including, but not limited to, provisions for protecting safety of participating patients;

(6) The project plan clearly defines the measurement criteria it will use to evaluate the outcomes of the pilot project on access and quality of care; and

(7) The project plan identifies reporting intervals to communicate interim and final outcomes to the board.

2. The board may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

3. The provisions of this section shall expire on August 28, 2026. The board shall provide a final report on approved projects and related data or findings to the general assembly on or before December 31, 2025. The name, location, approval dates, and general description of an approved pilot project shall be deemed a public record pursuant to chapter 610.

334.100. DENIAL, REVOCATION OR SUSPENSION OF LICENSE, ALTERNATIVES, GROUNDS FOR — REINSTATEMENT PROVISIONS. — 1. The board may refuse to issue or renew any certificate

of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense involving fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination including failing to establish a valid physician-patient relationship pursuant to section 334.108, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) Being listed on any state or federal sexual offender registry;

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

(m) Failure of any applicant or licensee to cooperate with the board during any investigation;

(n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(o) Failure to timely pay license renewal fees specified in this chapter;

(p) Violating a probation agreement, order, or other settlement agreement with this board or any other licensing agency;

(q) Failing to inform the board of the physician's current residence and business address;

(r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional

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superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) Any other conduct that is unethical or unprofessional involving a minor;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter or chapter 324, or of any lawful rule or regulation adopted pursuant to this chapter or chapter 324;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, including but not limited to any provision of chapter 195, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) Knowingly making a false statement, orally or in writing to the board;

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

(17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

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(18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the Social Security Act;

(19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

(20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

(21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

(22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

(23) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;

(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;

(26) Revocation, suspension, limitation, probation, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, or voluntary termination of a controlled substance authority while under investigation;

(27) For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center.

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for

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a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

8. The act of lawfully dispensing, prescribing, administering, or otherwise distributing ivermectin tablets or hydroxychloroquine sulfate tablets for human use shall not be grounds for denial, suspension, revocation, or other disciplinary action by the board.

334.530. QUALIFICATIONS FOR LICENSE — EXAMINATIONS, SCOPE. — 1. A candidate for license to practice as a physical therapist shall furnish evidence of such person's educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board **or eligibility to graduate from such a program within ninety days**. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. **Applicants shall meet the qualifying standards for such examinations, including any requirements established by any entity contracted by the board to administer the board-approved examination.** Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subsection 1 of this section **and meets the requirements established to qualify for examination.** Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licenses to practice physical therapy shall test entry-level competence as related to physical therapy theory, examination and evaluation, physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.

4. The examination shall embrace, in relation to the human being, the subjects of anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy theory and

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procedures as related to medicine, surgery and psychiatry, and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice physical therapy.

5. **No person who has failed on six or more occasions to achieve a passing score on the examination required by this section shall be eligible for licensure by examination under this section.**

6. The applicant shall pass a test administered by the board on the laws and rules related to the practice of physical therapy in Missouri.

334.655. PHYSICAL THERAPIST ASSISTANT, EDUCATIONAL REQUIREMENTS — BOARD EXAMINATION, APPLICATIONS — WRITTEN EXAMINATION — EXAMINATION TOPICS — EXAMINATION NOT REQUIRED, WHEN. — 1. A candidate for licensure to practice as a physical therapist assistant shall furnish evidence of the person's educational qualifications. The educational requirements for licensure as a physical therapist assistant are:

(1) A certificate of graduation from an accredited high school or its equivalent; and

(2) Satisfactory evidence of completion of an associate degree program of physical therapy education accredited by the commission on accreditation of physical therapy education **or eligibility to graduate from such a program within ninety days.**

2. Persons desiring to practice as a physical therapist assistant in this state shall appear before the board at such time and place as the board may direct and be examined as to the person's fitness to engage in such practice. **Applicants shall meet the qualifying standards for such examinations, including any requirements established by any entity contracted by the board to administer the board-approved examination.** Applications for examination shall be on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications provided in subsection 1 of this section **and meets the requirements established to qualify for examination.** Each application shall contain a statement that the statement is made under oath of affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the statement, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licensure to practice as physical therapist assistants shall embrace an examination which shall cover the curriculum taught in accredited associate degree programs of physical therapy assistant education. Such examination shall be sufficient to test the qualification of the candidates as practitioners.

4. The examination shall include, as related to the human body, the subjects of anatomy, kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as related to medicine and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice as a physical therapist assistant.

5. **No person who has failed on six or more occasions to achieve a passing score on the examination required by this section shall be eligible for licensure by examination under this section.**

6. The applicant shall pass a test administered by the board on the laws and rules related to the practice as a physical therapist assistant in this state.

~~[6.]~~ 7. The board shall license without examination any legally qualified person who is a resident of this state and who was actively engaged in practice as a physical therapist assistant on August 28, 1993. The board may license such person pursuant to this subsection until ninety days after the effective date of this section.

~~[7.]~~ 8. A candidate to practice as a physical therapist assistant who does not meet the educational qualifications may submit to the board an application for examination if such person can furnish written evidence to the board that the person has been employed in this state for at least three of the last five years under the supervision of a licensed physical therapist and such person possesses the knowledge and training equivalent to that obtained in an accredited school. The board may license such persons

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pursuant to this subsection until ninety days after rules developed by the state board of healing arts regarding physical therapist assistant licensing become effective.

338.055. DENIAL, REVOCATION OR SUSPENSION OF LICENSE, GROUNDS FOR — EXPEDITED PROCEDURE — TEMPORARY AUTHORITY, WHEN. — 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or if the designated pharmacist-in-charge, manager-in-charge, or any officer, owner, manager, or controlling shareholder of the applicant has committed any act or practice in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license, or diploma from any school;

(8) Denial of licensure to an applicant or disciplinary action against an applicant or the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency, or country whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, surrender of the license upon grounds for which denial or discipline is authorized in this state;

(9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

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(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) The intentional act of substituting or otherwise changing the content, formula or brand of any drug prescribed by written, electronic, or oral prescription without prior written or oral approval from the prescriber for the respective change in each prescription; provided, however, that nothing contained herein shall prohibit a pharmacist from substituting or changing the brand of any drug as provided under section 338.056, and any such substituting or changing of the brand of any drug as provided for in section 338.056 shall not be deemed unprofessional or dishonorable conduct unless a violation of section 338.056 occurs;

(17) Personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a health care provider who is authorized by law to do so.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit. The board may impose additional discipline on a licensee, registrant, or permittee found to have violated any disciplinary terms previously imposed under this section or by agreement. The additional discipline may include, singly or in combination, censure, placing the licensee, registrant, or permittee named in the complaint on additional probation on such terms and conditions as the board deems appropriate, which additional probation shall not exceed five years, or suspension for a period not to exceed three years, or revocation of the license, certificate, or permit.

4. If the board concludes that a licensee or registrant has committed an act or is engaging in a course of conduct which would be grounds for disciplinary action which constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the activities which give rise to the danger and the nature of the proposed restriction or suspension of the licensee's or registrant's license. Within fifteen days after service of the complaint on the licensee or registrant, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged activities of the licensee or registrant appear to constitute a clear and present danger to the public health and safety which justify that the licensee's or registrant's license or registration be immediately restricted or suspended. The burden of proving that the actions of a licensee or registrant constitute a clear and present danger to the public health and safety shall be upon the state board of pharmacy. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the licensee's or registrant's license, such temporary authority of the board shall become final authority if there is no request by the licensee or registrant for a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the licensee or registrant named in the complaint, set a date to hold a full hearing under the provisions of chapter 621 regarding the activities alleged in the initial complaint filed by the board.

6. If the administrative hearing commission dismisses the action filed by the board pursuant to subsection 4 of this section, such dismissal shall not bar the board from initiating a subsequent action on the same grounds.

7. The board shall not deny, revoke, or suspend, or otherwise take any disciplinary action against, a certificate of registration or authority, permit, or license required by this chapter for

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any person due to the lawful dispensing, distributing, or selling of ivermectin tablets or hydroxychloroquine sulfate tablets for human use in accordance with prescriber directions. A pharmacist shall not contact the prescribing physician or the patient to dispute the efficacy of ivermectin tablets or hydroxychloroquine sulfate tablets for human use unless the physician or patient inquires of the pharmacist about the efficacy of ivermectin tablets or hydroxychloroquine sulfate tablets.

345.015. DEFINITIONS. — As used in sections 345.010 to 345.080, the following terms mean:

(1) "Audiologist", a person who is licensed as an audiologist pursuant to sections 345.010 to 345.080 to practice audiology;

(2) "Audiology aide", a person who is registered as an audiology aide by the board, who does not act independently but works under the direction and supervision of a licensed audiologist. Such person assists the audiologist with activities which require an understanding of audiology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision are provided on a regular and systematic basis by a licensed audiologist.

However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than audiology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising audiologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

(3) "Board", the state board of registration for the healing arts;

(4) **"Clinical fellowship", the supervised professional employment period following completion of the academic and practicum requirements of an accredited training program under this chapter;**

(5) "Commission", the advisory commission for speech-language pathologists and audiologists;

~~[(5)]~~ (6) "Hearing instrument" or "hearing aid", any wearable device or instrument designed for or offered for the purpose of aiding or compensating for impaired human hearing and any parts, attachments or accessories, including ear molds, but excluding batteries, cords, receivers and repairs;

~~[(6)]~~ (7) "Person", any individual, organization, or corporate body, except that only individuals may be licensed pursuant to sections 345.010 to 345.080;

~~[(7)]~~ (8) "Practice of audiology":

(a) The application of accepted audiologic principles, methods and procedures for the measurement, testing, interpretation, appraisal and prediction related to disorders of the auditory system, balance system or related structures and systems;

(b) Provides consultation or counseling to the patient, client, student, their family or interested parties;

(c) Provides academic, social and medical referrals when appropriate;

(d) Provides for establishing goals, implementing strategies, methods and techniques, for habilitation, rehabilitation or aural rehabilitation, related to disorders of the auditory system, balance system or related structures and systems;

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- (e) Provides for involvement in related research, teaching or public education;
 - (f) Provides for rendering of services or participates in the planning, directing or conducting of programs which are designed to modify audition, communicative, balance or cognitive disorder, which may involve speech and language or education issues;
 - (g) Provides and interprets behavioral and neurophysiologic measurements of auditory balance, cognitive processing and related functions, including intraoperative monitoring;
 - (h) Provides involvement in any tasks, procedures, acts or practices that are necessary for evaluation of audition, hearing, training in the use of amplification or assistive listening devices;
 - (i) Provides selection, assessment, fitting, programming, and dispensing of hearing instruments, assistive listening devices, and other amplification systems;
 - (j) Provides for taking impressions of the ear, making custom ear molds, ear plugs, swim molds and industrial noise protectors;
 - (k) Provides assessment of external ear and cerumen management;
 - (l) Provides advising, fitting, mapping assessment of implantable devices such as cochlear or auditory brain stem devices;
 - (m) Provides information in noise control and hearing conservation including education, equipment selection, equipment calibration, site evaluation and employee evaluation;
 - (n) Provides performing basic speech-language screening test;
 - (o) Provides involvement in social aspects of communication, including challenging behavior and ineffective social skills, lack of communication opportunities;
 - (p) Provides support and training of family members and other communication partners for the individual with auditory balance, cognitive and communication disorders;
 - (q) Provides aural rehabilitation and related services to individuals with hearing loss and their families;
 - (r) Evaluates, collaborates and manages audition problems in the assessment of the central auditory processing disorders and providing intervention for individuals with central auditory processing disorders;
 - (s) Develops and manages academic and clinical problems in communication sciences and disorders;
 - (t) Conducts, disseminates and applies research in communication sciences and disorders;
- ~~[(8)]~~ **(9) "Practice of speech-language pathology":**
- (a) Provides screening, identification, assessment, diagnosis, treatment, intervention, including but not limited to prevention, restoration, amelioration and compensation, and follow-up services for disorders of:
 - a. Speech: articulation, fluency, voice, including respiration, phonation and resonance;
 - b. Language, involving the parameters of phonology, morphology, syntax, semantics and pragmatic; and including disorders of receptive and expressive communication in oral, written, graphic and manual modalities;
 - c. Oral, pharyngeal, cervical esophageal and related functions, such as dysphagia, including disorders of swallowing and oral functions for feeding; orofacial myofunctional disorders;
 - d. Cognitive aspects of communication, including communication disability and other functional disabilities associated with cognitive impairment;
 - e. Social aspects of communication, including challenging behavior, ineffective social skills, lack of communication opportunities;
 - (b) Provides consultation and counseling and makes referrals when appropriate;
 - (c) Trains and supports family members and other communication partners of individuals with speech, voice, language, communication and swallowing disabilities;

(d) Develops and establishes effective augmentative and alternative communication techniques and strategies, including selecting, prescribing and dispensing of augmentative aids and devices; and the training of individuals, their families and other communication partners in their use;

(e) Selects, fits and establishes effective use of appropriate prosthetic/adaptive devices for speaking and swallowing, such as tracheoesophageal valves, electrolarynges, or speaking valves;

(f) Uses instrumental technology to diagnose and treat disorders of communication and swallowing, such as videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;

(g) Provides aural rehabilitative and related counseling services to individuals with hearing loss and to their families;

(h) Collaborates in the assessment of central auditory processing disorders in cases in which there is evidence of speech, language or other cognitive communication disorders; provides intervention for individuals with central auditory processing disorders;

(i) Conducts pure-tone air conduction hearing screening and screening tympanometry for the purpose of the initial identification or referral;

(j) Enhances speech and language proficiency and communication effectiveness, including but not limited to accent reduction, collaboration with teachers of English as a second language and improvement of voice, performance and singing;

(k) Trains and supervises support personnel;

(l) Develops and manages academic and clinical programs in communication sciences and disorders;

(m) Conducts, disseminates and applies research in communication sciences and disorders;

(n) Measures outcomes of treatment and conducts continuous evaluation of the effectiveness of practices and programs to improve and maintain quality of services;

~~[(9)]~~ **(10)** "Speech-language pathologist", a person who is licensed as a speech-language pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of speech-language pathology as defined in sections 345.010 to 345.080;

~~[(10)]~~ **(11)** "Speech-language pathology aide", a person who is registered as a speech-language aide by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist. Such person assists the speech-language pathologist with activities which require an understanding of speech-language pathology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision is provided on a regular and systematic basis by a licensed speech-language pathologist.

However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than speech-language pathology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising speech-language pathologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

~~[(11)]~~ **(12)** "Speech-language pathology assistant", a person who is registered as a speech-language pathology assistant by the board, who does not act independently but works under the direction and

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supervision of a licensed speech-language pathologist practicing for at least one year or speech-language pathologist practicing under subdivision (1) or (6) of subsection 1 of section 345.025 for at least one year and whose activities require both academic and practical training in the field of speech-language pathology although less training than those established by sections 345.010 to 345.080 as necessary for licensing as a speech-language pathologist. To be eligible for registration by the board, each applicant shall submit the registration fee, supervising speech-language pathologist information if employment is confirmed, if not such information shall be provided after registration, and furnish evidence of the person's educational qualifications which meet the following:

- (a) Hold a bachelor's level degree from an institution accredited or approved by a regional accrediting body recognized by the United States Department of Education or its equivalent; and
- (b) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of bachelor's level course work and requirements in the field of speech-language pathology as established by the board through rules and regulations;
- (c) Submit proof of completion of the number and type of clinical hours as established by the board through rules and regulations.

345.022. PROVISIONAL LICENSE, REQUIREMENTS. — 1. Any person in the person's clinical fellowship shall hold a provisional license to practice speech-language pathology or audiology. The board may issue a provisional license to an applicant who:

- (1) Has met the requirements for practicum and academic requirements from an accredited training program under this chapter;**
 - (2) Submits an application to the board on a form prescribed by the board. Such form shall include a plan for the content and supervision of the clinical fellowship, as well as evidence of good moral and ethical character; and**
 - (3) Submits to the board an application fee, as set by the board, for the provisional license.**
- 2. A provisional license is effective for one year and may be extended for an additional twelve months only for purposes of completing the postgraduate clinical experience portion of the clinical fellowship; provided, that the applicant has passed the national examination and shall hold a master's degree from an approved training program in his or her area of application.**
- 3. Within twelve months of issuance of the provisional license, the applicant shall pass an examination promulgated or approved by the board.**
- 4. Within twelve months of issuance of a provisional license, the applicant shall complete the requirements for the master's or doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought.**

345.050. REQUIREMENTS TO BE MET FOR LICENSE. — ~~[4.]~~ To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person's current competence and shall:

- (1) Hold a master's or a doctoral degree from a program that was awarded "accreditation candidate" status or is accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;**
- (2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board; ~~and~~**
- (3) Present written evidence of completion of a clinical fellowship from supervisors. The experience required by this subdivision shall follow the completion of the requirements of**

subdivisions (1) and (2) of this subsection. This period of employment shall be under the direct supervision of a person who is licensed by the state of Missouri in the profession in which the applicant seeks to be licensed. Persons applying with an audiology clinical doctoral degree are exempt from this provision; and

(4) Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

~~[2. To be eligible for licensure by the board without examination, each applicant shall make application on forms prescribed by the board, submit the application fee, submit an activity statement and meet one of the following requirements:~~

~~(1) The board shall issue a license to any speech language pathologist or audiologist who is licensed in another country and who has had no violations, suspension or revocations of a license to practice speech language pathology or audiology in any jurisdiction; provided that, such person is licensed in a country whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure; or~~

~~(2) Hold the certificate of clinical competence issued by the American Speech Language Hearing Association in the area in which licensure is sought.--]~~

345.052. LICENSURE RECIPROCITY FOR MILITARY, WHEN. — 1. For purposes of this section, the following terms mean:

(1) "Board", the Missouri board of registration for the healing arts;

(2) "Commission", the advisory commission for speech-language pathologists and audiologists;

(3) "License", a license, certificate, registration, permit, accreditation, or military occupational specialty that enables a person to legally practice an occupation or profession in a particular jurisdiction;

(4) "Military", the Armed Forces of the United States including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard, and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. Such term also includes the military reserves and militia of the United States territory or state;

(5) "Nonresident military spouse", a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(6) "Resident military spouse", a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Any person who holds a valid current speech-language pathologist or audiologist license issued by another state, a branch or unit of the military, a territory of the United States, or the District of Columbia, and who has been licensed for at least one year in the other jurisdiction, may submit an application for a speech-language pathologist or audiologist license in Missouri along with proof of current licensure and proof of licensure for at least one year in the other jurisdiction, to the board.

3. The board shall:

(1) Within six months of receiving an application described in subsection 2 of this section, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other state verifies that the person met those requirements in order to be licensed or certified in that state. The board may require an applicant to take and pass an examination specific to the laws of this state; or

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(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.

4. (1) The board shall not waive any examination, educational, or experience requirements for any applicant who has had his or her license revoked by a board outside the state; who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action, except as provided in subdivision (2) of this subsection, with a board outside the state; who does not hold a license in good standing with a board outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on the date the board receives his or her application under this section.

(2) If another jurisdiction has taken disciplinary action against an applicant, the board shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the board may deny a license until the matter is resolved.

5. Nothing in this section shall prohibit the board from denying a license to an applicant under this section for any reason described in section 345.065.

6. Any person who is licensed under the provisions of this section shall be subject to the board's jurisdiction and all rules and regulations pertaining to the practice as a speech-language pathologist or audiologist in this state.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees.

345.085. AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT. — SECTION 1. PURPOSE

The purpose of this Compact is to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services. The practice of audiology and speech-language pathology occurs in the state where the patient/client/student is located at the time of the patient/client/student encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This Compact is designed to achieve the following objectives:

1. Increase public access to audiology and speech-language pathology services by providing for the mutual recognition of other member state licenses;
2. Enhance the states' ability to protect the public's health and safety;
3. Encourage the cooperation of member states in regulating multistate audiology and speech-language pathology practice;
4. Support spouses of relocating active duty military personnel;
5. Enhance the exchange of licensure, investigative and disciplinary information between member states;
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards; and
7. Allow for the use of telehealth technology to facilitate increased access to audiology and speech-language pathology services.

SECTION 2. DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

A. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and 1211.

B. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against an audiologist or speech-language pathologist, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

C. "Alternative program" means a non-disciplinary monitoring process approved by an audiology or speech-language pathology licensing board to address impaired practitioners.

D. "Audiologist" means an individual who is licensed by a state to practice audiology.

E. "Audiology" means the care and services provided by a licensed audiologist as set forth in the member state's statutes and rules.

F. "Audiology and Speech-Language Pathology Compact Commission" or "Commission" means the national administrative body whose membership consists of all states that have enacted the Compact.

G. "Audiology and speech-language pathology licensing board," "audiology licensing board," "speech-language pathology licensing board," or "licensing board" means the agency of a state that is responsible for the licensing and regulation of audiologists and/or speech-language pathologists.

H. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech-language pathologist in the remote state under its laws and rules. The practice of audiology or speech-language pathology occurs in the member state where the patient/client/student is located at the time of the patient/client/student encounter.

I. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech-language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

J. "Data system" means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, compact privilege and adverse action.

K. "Encumbered license" means a license in which an adverse action restricts the practice of audiology or speech-language pathology by the licensee and said adverse action has been reported to the National Practitioners Data Bank (NPDB).

L. "Executive Committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

M. "Home state" means the member state that is the licensee's primary state of residence.

N. "Impaired practitioner" means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

O. "Licensee" means an individual who currently holds an authorization from the state licensing board to practice as an audiologist or speech-language pathologist.

P. "Member state" means a state that has enacted the Compact.

Q. "Privilege to practice" means a legal authorization permitting the practice of audiology or speech-language pathology in a remote state.

R. "Remote state" means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

S. "Rule" means a regulation, principle or directive promulgated by the Commission that has the force of law.

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T. "Single-state license" means an audiology or speech-language pathology license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

U. "Speech-language pathologist" means an individual who is licensed by a state to practice speech-language pathology.

V. "Speech-language pathology" means the care and services provided by a licensed speech-language pathologist as set forth in the member state's statutes and rules.

W. "State" means any state, commonwealth, district or territory of the United States of America that regulates the practice of audiology and speech-language pathology.

X. "State practice laws" means a member state's laws, rules and regulations that govern the practice of audiology or speech-language pathology, define the scope of audiology or speech-language pathology practice, and create the methods and grounds for imposing discipline.

Y. "Telehealth" means the application of telecommunication technology to deliver audiology or speech-language pathology services at a distance for assessment, intervention and/or consultation.

SECTION 3. STATE PARTICIPATION IN THE COMPACT

A. A license issued to an audiologist or speech-language pathologist by a home state to a resident in that state shall be recognized by each member state as authorizing an audiologist or speech-language pathologist to practice audiology or speech-language pathology, under a privilege to practice, in each member state.

B. A state must implement or utilize procedures for considering the criminal history records of applicants for initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

1. A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions.

2. Communication between a member state, the Commission and among member states regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.

C. Upon application for a privilege to practice, the licensing board in the issuing remote state shall ascertain, through the data system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or privilege to practice held by the applicant, whether any adverse action has been taken against any license or privilege to practice held by the applicant.

D. Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as, all other applicable state laws.

E. For an audiologist:

1. Must meet one of the following educational requirements:

a. On or before, Dec. 31, 2007, has graduated with a master's degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

b. On or after, Jan. 1, 2008, has graduated with a Doctoral degree in audiology, or equivalent degree, regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

c. Has graduated from an audiology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.

2. Has completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the Commission;

3. Has successfully passed a national examination approved by the Commission;

4. Holds an active, unencumbered license;

5. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law;

6. Has a valid United States Social Security or National Practitioner Identification number.

F. For a speech-language pathologist:

1. Must meet one of the following educational requirements:

a. Has graduated with a master's degree from a speech-language pathology program that is accredited by an organization recognized by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

b. Has graduated from a speech-language pathology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.

2. Has completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the Commission;

3. Has completed a supervised postgraduate professional experience as required by the Commission;

4. Has successfully passed a national examination approved by the Commission;

5. Holds an active, unencumbered license;

6. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of speech-language pathology, under applicable state or federal criminal law;

7. Has a valid United States Social Security or National Practitioner Identification number.

G. The privilege to practice is derived from the home state license.

H. An audiologist or speech-language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of audiology and speech-language pathology shall include all audiology and speech-language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology and speech-language pathology in a member state under a privilege to practice shall subject an audiologist or speech-language pathologist to the jurisdiction of the licensing board, the courts and the laws of the member state in which the client is located at the time service is provided.

I. Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-

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state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.

J. Member states may charge a fee for granting a compact privilege.

K. Member states must comply with the bylaws and rules and regulations of the Commission.

SECTION 4. COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the Compact, the audiologist or speech-language pathologist shall:

1. Hold an active license in the home state;
2. Have no encumbrance on any state license;
3. Be eligible for a compact privilege in any member state in accordance with Section 3;
4. Have not had any adverse action against any license or compact privilege within the previous 2 years from date of application;
5. Notify the Commission that the licensee is seeking the compact privilege within a remote state(s);
6. Pay any applicable fees, including any state fee, for the compact privilege;
7. Report to the Commission adverse action taken by any non-member state within 30 days from the date the adverse action is taken.

B. For the purposes of the compact privilege, an audiologist or speech-language pathologist shall only hold one home state license at a time.

C. Except as provided in Section 6, if an audiologist or speech-language pathologist changes primary state of residence by moving between two-member states, the audiologist or speech-language pathologist must apply for licensure in the new home state, and the license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the Commission.

D. The audiologist or speech-language pathologist may apply for licensure in advance of a change in primary state of residence.

E. A license shall not be issued by the new home state until the audiologist or speech-language pathologist provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from the new home state.

F. If an audiologist or speech-language pathologist changes primary state of residence by moving from a member state to a non-member state, the license issued by the prior home state shall convert to a single-state license, valid only in the former home state.

G. The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of Section 4A to maintain the compact privilege in the remote state.

H. A licensee providing audiology or speech-language pathology services in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

I. A licensee providing audiology or speech-language pathology services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens.

J. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

1. The home state license is no longer encumbered; and
2. Two years have elapsed from the date of the adverse action.

K. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of Section 4A to obtain a compact privilege in any remote state.

L. Once the requirements of Section 4J have been met, the licensee must meet the requirements in Section 4A to obtain a compact privilege in a remote state.

SECTION 5. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

Member states shall recognize the right of an audiologist or speech-language pathologist, licensed by a home state in accordance with Section 3 and under rules promulgated by the Commission, to practice audiology or speech-language pathology in any member state via telehealth under a privilege to practice as provided in the Compact and rules promulgated by the Commission.

SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state.

SECTION 7. ADVERSE ACTIONS

A. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that member state.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against an audiologist's or speech-language pathologist's license issued by the home state.

B. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

C. The home state shall complete any pending investigations of an audiologist or speech-language pathologist who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

D. If otherwise permitted by state law, the member state may recover from the affected audiologist or speech-language pathologist the costs of investigations and disposition of cases resulting from any adverse action taken against that audiologist or speech-language pathologist.

E. The member state may take adverse action based on the factual findings of the remote state, provided that the member state follows the member state's own procedures for taking the adverse action.

F. Joint Investigations:

1. In addition to the authority granted to a member state by its respective audiology or speech-language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

G. If adverse action is taken by the home state against an audiologist's or speech-language pathologist's license, the audiologist's or speech-language pathologist's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an audiologist's or speech-language pathologist's license shall include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.

H. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

I. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

SECTION 8. ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION

A. The Compact member states hereby create and establish a joint public agency known as the Audiology and Speech-Language Pathology Compact Commission:

1. The Commission is an instrumentality of the Compact states.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting and Meetings:

1. Each member state shall have two (2) delegates selected by that member state's licensing board. The delegates shall be current members of the licensing board. One shall be an audiologist and one shall be a speech-language pathologist.

2. An additional five (5) delegates, who are either a public member or board administrator from a state licensing board, shall be chosen by the Executive Committee from a pool of nominees provided by the Commission at Large.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring on the Commission, within 90 days.

5. Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission.

6. A delegate shall vote in person or by other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The Commission shall have the following powers and duties:

1. Establish the fiscal year of the Commission;

2. Establish bylaws;

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3. Establish a Code of Ethics;
4. Maintain its financial records in accordance with the bylaws;
5. Meet and take actions as are consistent with the provisions of this Compact and the bylaws;
6. Promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all member states;
7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state audiology or speech-language pathology licensing board to sue or be sued under applicable law shall not be affected;
8. Purchase and maintain insurance and bonds;
9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;
10. Hire employees, elect or appoint officers, fix compensation, define duties, grant individuals appropriate authority to carry out the purposes of the Compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety and/or conflict of interest;
12. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;
13. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
14. Establish a budget and make expenditures;
15. Borrow money;
16. Appoint committees, including standing committees composed of members, and other interested persons as may be designated in this Compact and the bylaws;
17. Provide and receive information from, and cooperate with, law enforcement agencies;
18. Establish and elect an Executive Committee; and
19. Perform other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of audiology and speech-language pathology licensure and practice.

D. The Executive Committee

The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact:

1. The Executive Committee shall be composed of ten (10) members:
 - a. Seven (7) voting members who are elected by the Commission from the current membership of the Commission;
 - b. Two (2) ex-officios, consisting of one nonvoting member from a recognized national audiology professional association and one nonvoting member from a recognized national speech-language pathology association; and
 - c. One (1) ex-officio, nonvoting member from the recognized membership organization of the audiology and speech-language pathology licensing boards.
- E. The ex-officio members shall be selected by their respective organizations.
 1. The Commission may remove any member of the Executive Committee as provided in bylaws.
 2. The Executive Committee shall meet at least annually.
 3. The Executive Committee shall have the following duties and responsibilities:

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a. Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states such as annual dues, and any commission Compact fee charged to licensees for the compact privilege;

b. Ensure Compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the Commission;

e. Monitor Compact compliance of member states and provide compliance reports to the Commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

4. Meetings of the Commission

All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 10.

5. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

a. Non-compliance of a member state with its obligations under the Compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

6. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

7. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

8. Financing of the Commission:

a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

b. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

c. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission

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and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

9. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.

10. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.

F. Qualified Immunity, Defense, and Indemnification:

1. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

SECTION 9. DATA SYSTEM

A. The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Non-confidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for denial; and

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6. Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission.

C. Investigative information pertaining to a licensee in any member state shall only be available to other member states.

D. The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state shall be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

SECTION 10. RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within 4 years of the date of adoption of the rule, the rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.

D. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least thirty (30) days in advance of the meeting at which the rule shall be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission or other publicly accessible platform; and
2. On the website of each member state audiology or speech-language pathology licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The Notice of Proposed Rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule shall be considered and voted upon;
2. The text of the proposed rule or amendment and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person; and
4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

F. Prior to the adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

G. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least twenty-five (25) members.

H. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings shall be recorded. A copy of the recording shall be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.

K. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Commission or member state funds; or
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Dispute Resolution

1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and non-member states.

2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

B. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

A. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the 10th member state. The provisions, which become effective at that time, shall be limited to the powers granted to the Commission relating to assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the Compact.

B. Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.

C. Any member state may withdraw from this Compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this Compact shall be construed to invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this Compact.

E. This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

SECTION 13. CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.

B. All laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

C. All lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

D. All agreements between the Commission and the member states are binding in accordance with their terms.

E. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

SECTION B. EMERGENCY CLAUSE. — Because of the urgent need of low-income Missouri residents for access to quality health care services, the enactment of section 324.005 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 324.005 of this act shall be in full force and effect upon its passage and approval.

Approved June 7, 2022

SS HB 2162

Enacts provisions relating to opioid addiction treatment.

AN ACT to repeal sections 195.206 and 196.1050, RSMo, and to enact in lieu thereof two new sections relating to opioid addiction treatment.

SECTION

- A Enacting clause.
- 195.206 Opioid antagonist, sale and dispensing of by pharmacists, possession of — administration of, contacting emergency personnel — immunity from liability, when.
- 196.1050 Opioid addiction treatment, any opioid-related settlement moneys to be used for — fund established.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 195.206 and 196.1050, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 195.206 and 196.1050, to read as follows:

195.206. OPIOID ANTAGONIST, SALE AND DISPENSING OF BY PHARMACISTS, POSSESSION OF — ADMINISTRATION OF, CONTACTING EMERGENCY PERSONNEL — IMMUNITY FROM LIABILITY, WHEN. — 1. As used in this section, the following terms shall mean:

(1) **"Addiction mitigation medication", naltrexone hydrochloride that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;**

~~[(1)]~~ (2) **"Opioid antagonist", naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;**

~~[(2)]~~ (3) **"Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.**

2. Notwithstanding any other law or regulation to the contrary:

(1) The director of the department of health and senior services, if a licensed physician, may issue a statewide standing order for an opioid antagonist **or an addiction mitigation medication;**

(2) In the alternative, the department may employ or contract with a licensed physician who may issue a statewide standing order for an opioid antagonist **or an addiction mitigation medication** with the express written consent of the department director.

3. Notwithstanding any other law or regulation to the contrary, any licensed pharmacist in Missouri may sell and dispense an opioid antagonist **or an addiction mitigation medication** under physician protocol or under a statewide standing order issued under subsection 2 of this section.

4. A licensed pharmacist who, acting in good faith and with reasonable care, sells or dispenses an opioid antagonist **or an addiction mitigation medication** and **an** appropriate device to administer the drug, and the protocol physician, shall not be subject to any criminal or civil liability or any professional disciplinary action for prescribing or dispensing the opioid antagonist **or an addiction mitigation medication** or any outcome resulting from the administration of the opioid antagonist **or an addiction mitigation medication**. A physician issuing a statewide standing order under subsection 2 of this section shall not be subject to any criminal or civil liability or any professional disciplinary action for issuing the standing order or for any outcome related to the order or the administration of the opioid antagonist **or an addiction mitigation medication**.

5. Notwithstanding any other law or regulation to the contrary, it shall be permissible for any person to possess an opioid antagonist **or an addiction mitigation medication**.

6. Any person who administers an opioid antagonist to another person shall, immediately after administering the drug, contact emergency personnel. Any person who, acting in good faith and with reasonable care, administers an opioid antagonist to another person whom the person believes to be suffering an opioid-related overdose shall be immune from criminal prosecution, disciplinary actions from his or her professional licensing board, and civil liability due to the administration of the opioid antagonist.

196.1050. OPIOID ADDICTION TREATMENT, ANY OPIOID-RELATED SETTLEMENT MONEYS TO BE USED FOR — FUND ESTABLISHED. — 1. The proceeds of any monetary settlement or portion of a global settlement between the attorney general of the state and any drug manufacturers, distributors, or combination thereof to resolve an opioid-related cause of action against such drug manufacturers, distributors, or combination thereof in a state or federal court shall only be utilized to pay for opioid addiction treatment and prevention services and health care and law enforcement costs related to opioid addiction treatment and prevention. Under no circumstances shall such settlement moneys be utilized to fund other services, programs, or expenses not reasonably related to opioid addiction treatment and prevention.

2. (1) There is hereby established in the state treasury the "Opioid Addiction Treatment and Recovery Fund", which shall consist of the proceeds of any settlement described in subsection 1 of this section, as well as any funds appropriated by the general assembly, or gifts, grants, donations, or bequests. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used by the department of mental health, the department of health and senior services, the department of social services, ~~and~~ the department of public safety, **the department of corrections, and the judiciary** for the purposes set forth in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Approved June 11, 2022

CCS SS SCS HCS HB 2168

Enacts provisions relating to insurance, with penalty provisions and a delayed effective date for certain sections.

AN ACT to repeal sections 288.132, 303.025, 303.041, 319.129, 375.159, 376.380, 376.1800, and 379.011, RSMo, and to enact in lieu thereof nine new sections relating to insurance, with penalty provisions and a delayed effective date for certain sections.

SECTION

A Enacting clause.

- 288.132 Unemployment automation fund created, use of moneys.
- 288.133 Unemployment automation adjustment, amount — reductions, when.
- 303.025 Duty to maintain financial responsibility, residents and nonresidents, misdemeanor penalty for failure to maintain — exception, methods — court to notify department of revenue, additional punishment, right of appeal.
- 303.041 Failure to maintain financial responsibility — notice, procedure, contents — suspension of license and registration — request for hearing, right, effect — subsequent acquisition of financial responsibility, effect — duration of suspension, fee.
- 319.129 Petroleum storage tank insurance fund created — fees — state treasurer may deposit funds where, interest credited to fund — administration of fund — board of trustees created, members, meetings — expires when — continuation after expiration, when — independent audit.
- 375.159 Limited lines travel insurance producer — definitions — authorized activities, limitations — rulemaking authority.
- 376.380 Legal minimum standards for valuation — interest rates — valuation manual, operative date, effect of — reserves required.
- 376.1800 Definitions — medical retainer agreements not insurance — agreement requirements — use of health savings accounts for fees.
- 379.011 Documents required for insurance transactions or proof of coverage by electronic means permitted, when, requirements — inapplicability.

B Effective date.

C Effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 288.132, 303.025, 303.041, 319.129, 375.159, 376.380, 376.1800, and 379.011, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 288.132, 288.133, 303.025, 303.041, 319.129, 375.159, 376.380, 376.1800, and 379.011, to read as follows:

288.132. UNEMPLOYMENT AUTOMATION FUND CREATED, USE OF MONEYS. — 1. There is hereby created in the state treasury the "Unemployment Automation Fund", which shall consist of money collected ~~[under subsection 1 of section 288.131]~~ **pursuant to section 288.133**, and such other state funds appropriated by the general assembly. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purpose of providing automated systems, and the payment of associated costs, to improve the administration of the state's unemployment insurance program. Notwithstanding the provisions of section 33.080 to the contrary, all moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue

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Matter in bold-face type is proposed language.

fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and money earned on such investments shall be credited to the fund.

2. The unemployment automation fund shall not be used in whole or in part for any purpose or in any manner that would permit its substitution for, or a corresponding reduction in, federal funds that would be available in its absence to finance expenditures for the administration of this chapter, or cause the appropriate agency of the United States government to withhold any part of an administrative grant which would otherwise be made.

288.133. UNEMPLOYMENT AUTOMATION ADJUSTMENT, AMOUNT — REDUCTIONS, WHEN.

— 1. Each employer liable for contributions pursuant to this chapter, except employers with a contribution rate equal to zero, shall pay an annual unemployment automation adjustment in an amount equal to two one-hundredths of one percent of such employer's total taxable wages for the twelve-month period ending the preceding June thirtieth.

2. Notwithstanding subsection 1 of this section to the contrary, the division may reduce the automation adjustment percentage to ensure that the total amount of adjustment due from all employers under this section shall not exceed five million dollars annually.

3. Each employer liable to pay an automation adjustment shall be notified of the amount due under this section by March thirty-first of each year and such amount shall be considered delinquent thirty days thereafter. Delinquent unemployment automation adjustment amounts may be collected in the manner provided under sections 288.160 and 288.170. All moneys collected under this section shall be deposited in the unemployment automation fund established in section 288.132.

4. For the first quarter of each calendar year, the total amount of contribution otherwise due from each employer liable to pay contributions under this chapter shall be reduced by the dollar amount of unemployment automation adjustment due from such employer pursuant to subsection 1 of this section. However, the amount of contributions due from such employer for the first quarter of the calendar year in question shall not be reduced below zero.

303.025. DUTY TO MAINTAIN FINANCIAL RESPONSIBILITY, RESIDENTS AND NONRESIDENTS, MISDEMEANOR PENALTY FOR FAILURE TO MAINTAIN — EXCEPTION, METHODS — COURT TO NOTIFY DEPARTMENT OF REVENUE, ADDITIONAL PUNISHMENT, RIGHT OF APPEAL. — 1. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, unless the owner maintains the financial responsibility which conforms to the requirements of the laws of this state. No nonresident shall operate or permit another person to operate in this state a motor vehicle registered to such nonresident unless the nonresident maintains the financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle; however, no owner or nonresident shall be in violation of this subsection if he or she fails to maintain financial responsibility on a motor vehicle which is inoperable or being stored and not in operation. **The director of the department of revenue shall establish by rule a process for voluntary suspension of motor vehicle registration for vehicles which are inoperable or being stored and not in operation. The owner or nonresident shall not further operate the vehicle until the owner or nonresident notifies the department of revenue that the vehicle will be in use, and the department shall reinstate the motor vehicle registration upon receipt of proof of financial responsibility. Owners or nonresidents who operate a motor vehicle during a period of inoperability or storage claimed under this subsection shall be guilty of a class B misdemeanor and may additionally be guilty of a violation of this**

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subsection. Notwithstanding any provision of law to the contrary, the department of revenue may verify motor vehicle financial responsibility as provided by law, but shall not otherwise take legal or administrative action to enforce the requirements of this section unless, in the discretion of the director, the motor vehicle is determined to have been operated in violation of this section, a motor vehicle registration is applied for in violation of this section, or the motor vehicle on two separate occasions thirty days apart is determined to have its registration maintained in violation of this section. The director may prescribe rules and regulations for the implementation of this section.

2. A motor vehicle owner shall maintain the owner's financial responsibility in a manner provided for in section 303.160, or with a motor vehicle liability policy which conforms to the requirements of the laws of this state. A nonresident motor vehicle owner shall maintain the owner's financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence.

3. Any person who violates this section is guilty of a misdemeanor. **Except as otherwise provided in this section**, a first violation of this section shall be punishable as a class D misdemeanor. A second or subsequent violation of this section ~~shall~~ **may be** ~~[punishable]~~ **punished** by imprisonment in the county jail for a term not to exceed fifteen days ~~and/or~~ **and shall be punished by a fine not less than two hundred dollars but** not to exceed five hundred dollars. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021. However, no person shall be found guilty of violating this section if the operator demonstrates to the court that he or she met the financial responsibility requirements of this section at the time the peace officer, commercial vehicle enforcement officer or commercial vehicle inspector wrote the citation. In addition to any other authorized punishment, the court shall notify the director of revenue of any person convicted pursuant to this section and shall do one of the following:

(1) Enter an order suspending the driving privilege as of the date of the court order. If the court orders the suspension of the driving privilege, the court shall require the defendant to surrender to it any driver's license then held by such person. The length of the suspension shall be as prescribed in subsection 2 of section 303.042. The court shall forward to the director of revenue the order of suspension of driving privilege and any license surrendered within ten days;

(2) Forward the record of the conviction for an assessment of four points;

(3) In lieu of an assessment of points, render an order of supervision as provided in section 302.303. An order of supervision shall not be used in lieu of points more than one time in any thirty-six-month period. Every court having jurisdiction pursuant to the provisions of this section shall forward a record of conviction to the Missouri state highway patrol, or at the written direction of the Missouri state highway patrol, to the department of revenue, in a manner approved by the director of the department of public safety. The director shall establish procedures for the record keeping and administration of this section; or

(4) For a nonresident, suspend the nonresident's driving privileges in this state in accordance with section 303.030 and notify the official in charge of the issuance of licenses and registration certificates in the state in which such nonresident resides in accordance with section 303.080.

4. Nothing in sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330 and 303.370 shall be construed as prohibiting the department of commerce and insurance from approving or authorizing those exclusions and limitations which are contained in automobile liability insurance policies and the uninsured motorist provisions of automobile liability insurance policies.

5. If a court enters an order of suspension, the offender may appeal such order directly pursuant to chapter 512 and the provisions of section 302.311 shall not apply.

6. **Any fines owed to the state pursuant to this section may be eligible for payment in installments. The director shall promulgate rules for the application of payment plans, which shall take into account individuals' ability to pay.**

303.041. FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY — NOTICE, PROCEDURE, CONTENTS — SUSPENSION OF LICENSE AND REGISTRATION — REQUEST FOR HEARING, RIGHT, EFFECT — SUBSEQUENT ACQUISITION OF FINANCIAL RESPONSIBILITY, EFFECT — DURATION OF SUSPENSION, FEE. — 1. If the director determines ~~[that as a result of a verification sample or accident report that the owner of a motor vehicle has not maintained financial responsibility, or if the director determines as a result of an order of supervision]~~ that the **owner or** operator of a motor vehicle has not maintained the financial responsibility as required in this chapter, the director shall thirty-three days after mailing notice, suspend the driving privilege of the owner or operator and/or the registration of the vehicle failing to meet such requirement. The notice of suspension shall be mailed to the person at the last known address shown on the department's records. The notice of suspension is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made. If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing.

2. **Except as otherwise provided by law**, neither the fact that subsequent to the date of verification or conviction, the owner acquired the required liability insurance policy nor the fact that the owner terminated ownership of the motor vehicle, shall have any bearing upon the director's decision to suspend. Until it is terminated, the suspension shall remain in force after the registration is renewed or a new registration is acquired for the motor vehicle. The suspension also shall apply to any motor vehicle to which the owner transfers the registration. Effective January 1, 2000, the department shall not extend any suspension for failure to pay a delinquent late surrender fee pursuant to this subsection.

319.129. PETROLEUM STORAGE TANK INSURANCE FUND CREATED — FEES — STATE TREASURER MAY DEPOSIT FUNDS WHERE, INTEREST CREDITED TO FUND — ADMINISTRATION OF FUND — BOARD OF TRUSTEES CREATED, MEMBERS, MEETINGS — EXPIRES WHEN — CONTINUATION AFTER EXPIRATION, WHEN — INDEPENDENT AUDIT. — 1. There is hereby created a special trust fund to be known as the "Petroleum Storage Tank Insurance Fund" within the state treasury which shall be the successor to the underground storage tank insurance fund. Moneys in such special trust fund shall not be deemed to be state funds. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not be transferred to general revenue at the end of each biennium.

2. The owner or operator of any underground storage tank, including the state of Missouri and its political subdivisions and public transportation systems, in service on August 28, 1989, shall submit to the department a fee of one hundred dollars per tank on or before December 31, 1989. The owner or operator of any underground storage tank who seeks to participate in the petroleum storage tank insurance fund, including the state of Missouri and its political subdivisions and public transportation systems, and whose underground storage tank is brought into service after August 28, 1998, shall transmit one hundred dollars per tank to the board with his or her initial application. Such amount shall be a one-time payment, and shall be in addition to the payment required by section 319.133. The owner or operator of any aboveground storage tank regulated by this chapter, including the state of Missouri and its political subdivisions and public transportation systems, who seeks to participate in the petroleum storage tank insurance fund, shall transmit one hundred dollars per tank to the board with his or her initial application. Such amount shall be a one-time payment and shall be in addition to the payment required by section 319.133. Moneys received pursuant to this section shall be transmitted to the director of revenue for deposit in the petroleum storage tank insurance fund.

3. The state treasurer may deposit moneys in the fund in any of the qualified depositories of the state. All such deposits shall be secured in a manner and upon the terms as are provided by law relative to state deposits. Interest earned shall be credited to the petroleum storage tank insurance fund.

4. The general administration of the fund and the responsibility for the proper operation of the fund, including all decisions relating to payments from the fund, are hereby vested in a board of trustees. The board of trustees shall consist of the commissioner of administration or the commissioner's designee, the director of the department of natural resources or the director's designee, the director of the department of agriculture or the director's designee, and eight citizens appointed by the governor with the advice and consent of the senate. Three of the appointed members shall be owners or operators of retail petroleum storage tanks, including one tank owner or operator of greater than one hundred tanks; one tank owner or operator of less than one hundred tanks; and one aboveground storage tank owner or operator. One appointed trustee shall represent a financial lending institution, and one appointed trustee shall represent the insurance underwriting industry. One appointed trustee shall represent industrial or commercial users of petroleum. The two remaining appointed citizens shall have no petroleum-related business interest, and shall represent the nonregulated public at large. The members appointed by the governor shall serve four-year terms except that the governor shall designate two of the original appointees to be appointed for one year, two to be appointed for two years, two to be appointed for three years and two to be appointed for four years. Any vacancies occurring on the board shall be filled in the same manner as provided in this section.

5. ~~[The board shall meet in Jefferson City, Missouri, within thirty days following August 28, 1996. Thereafter,]~~ The board shall meet upon the written call of the chairman of the board or by the agreement of any six members of the board. Notice of each meeting shall be delivered to all other trustees in person or by registered mail not less than six days prior to the date fixed for the meeting. The board may meet at any time by unanimous mutual consent. There shall be at least one meeting in each quarter.

6. Six trustees shall constitute a quorum for the transaction of business, and any official action of the board shall be based on a majority vote of the trustees present.

7. The trustees shall serve without compensation but shall receive from the fund their actual and necessary expenses incurred in the performance of their duties for the board.

8. The board of trustees shall be a type III agency and shall appoint an executive director and other employees as needed, who shall be state employees and be eligible for all corresponding benefits. The executive director shall have charge of the offices, operations, records, and other employees of the board, subject to the direction of the board. Employees of the board shall receive such salaries and necessary expenses as shall be fixed by the board.

9. Staff resources for the Missouri petroleum storage tank insurance fund may be provided by the department of natural resources or another state agency as otherwise specifically determined by the board. The fund shall compensate the department of natural resources or other state agency for all costs of providing staff required by this subsection. Such compensation shall be made pursuant to contracts negotiated between the board and the department of natural resources or other state agency.

10. In order to carry out the fiduciary management of the fund, the board may select and employ, or may contract with, persons experienced in insurance underwriting, accounting, the servicing of claims and rate making, and legal counsel to defend third-party claims, who shall serve at the board's pleasure. Invoices for such services shall be presented to the board in sufficient detail to allow a thorough review of the costs of such services.

11. ~~[At the first meeting of the board,]~~ The board shall elect one of its members as chairman. The chairman shall preside over meetings of the board and perform such other duties as shall be required by action of the board.

12. The board shall elect one of its members as vice chairman, and the vice chairman shall perform the duties of the chairman in the absence of the latter or upon the chairman's inability or refusal to act.

13. The board shall determine and prescribe all rules and regulations as they relate to fiduciary management of the fund, pursuant to the purposes of sections 319.100 to 319.137. In no case shall the board have oversight regarding environmental cleanup standards for petroleum storage tanks.

14. No trustee or staff member of the fund shall receive any gain or profit from any moneys or transactions of the fund. This shall not preclude any eligible trustee from making a claim or receiving benefits from the petroleum storage tank insurance fund as provided by sections 319.100 to 319.137.

15. The board may reinsure all or a portion of the fund's liability. Any insurer who sells environmental liability insurance in this state may, at the option of the board, reinsure some portion of the fund's liability.

16. The petroleum storage tank insurance fund shall expire on December 31, ~~[2025]~~ **2030**, unless extended by action of the general assembly. After December 31, ~~[2025]~~ **2030**, the board of trustees may continue to function for the sole purpose of completing payment of claims made prior to December 31, ~~[2025]~~ **2030**.

17. The board shall annually commission an independent financial audit of the petroleum storage tank insurance fund. The board shall biennially commission an actuarial analysis of the petroleum storage tank insurance fund. The results of the financial audit and the actuarial analysis shall be made available to the public. The board may contract with third parties to carry out the requirements of this subsection.

18. The board of trustees shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

375.159. LIMITED LINES TRAVEL INSURANCE PRODUCER — DEFINITIONS — AUTHORIZED ACTIVITIES, LIMITATIONS — RULEMAKING AUTHORITY. — 1. As used in this section, the following terms shall mean:

(1) "Aggregator site", a website that provides information regarding insurance products from more than one insurer, including product and insurer information, for use in comparison shopping;

(2) "Blanket travel insurance", a policy of travel insurance issued to any eligible group providing coverage for specific classes of persons defined in the policy, with coverage provided to all members of the eligible group without a separate charge to individual members of the eligible group;

(3) "Cancellation fee waiver", a contractual agreement between a supplier of travel services and its customer to waive some or all of the nonrefundable cancellation fee provisions of the supplier's underlying travel contract with or without regard to the reason for the cancellation or form of reimbursement. A cancellation fee waiver is not insurance;

(4) "Director", the director of the department of commerce and insurance;

(5) "Eligible group", solely for the purpose of travel insurance, two or more persons who are engaged in a common enterprise or have an economic, educational, or social affinity or relationship, including but not limited to any of the following:

(a) Any entity engaged in the business of providing travel or travel services, including but not limited to: tour operators, lodging providers, vacation property owners, hotels and resorts, travel clubs, travel agencies, property managers, cultural exchange programs, and common carriers or the operator, owner, or lessor of a means of transportation of passengers including,

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but not limited to, airlines, cruise lines, railroads, steamship companies, and public bus carriers, in which there is a common exposure to risk attendant to the particular type of travel or traveler for all members or customers of the group;

(b) Any college, school, or other institution of learning, covering students, teachers, employees, or volunteers;

(c) Any employer covering any group of employees, volunteers, contractors, members of boards of directors, dependents, or guests;

(d) Any sports team, camp, or sponsor thereof, covering participants, members, campers, employees, officials, supervisors, or volunteers;

(e) Any religious, charitable, recreational, educational, or civic organization, or branch thereof, covering any group of members, participants, or volunteers;

(f) Any financial institution, financial institution vendor, or parent holding company, trustee, or agent of or designated by one or more financial institutions or financial institution vendors, including accountholders, credit card holders, debtors, guarantors, or purchasers;

(g) Any incorporated or unincorporated association, including any labor union, having a common interest, constitution, and bylaws, and organized and maintained in good faith for purposes other than obtaining insurance for members or participants of such association covering its members;

(h) Any trust or the trustees of a fund established, created, or maintained for the benefit of and covering members, employees, or customers of one or more associations meeting the requirements of paragraph (g) of this subdivision, subject to the director's permission of the use of a trust and the state's premium tax provisions described in subsection 4 of this section;

(i) Any entertainment production company covering any group of participants, volunteers, audience members, contestants, or workers;

(j) Any volunteer fire department, ambulance, rescue, police, court, first aid, civil defense, or other such volunteer group;

(k) Preschools, day care institutions for children or adults, and senior citizen clubs;

(l) Any automobile or truck rental or leasing company covering a group of persons who may become renters, lessees, or passengers defined by their travel status on the rented or leased vehicles. The common carrier; the operator, owner, or lessor of a means of transportation; or the automobile or truck rental or leasing company is the policyholder under a policy to which this section applies; or

(m) Any other group for which the director has determined that the members are engaged in a common enterprise or have an economic, educational, or social affinity or relationship and that issuance of the policy would not be contrary to the public interest;

(6) "Fulfillment materials", documentation sent to the purchaser of a travel protection plan confirming the purchase and providing the travel protection plan's coverage and assistance details;

(7) "Group travel insurance", travel insurance issued to any eligible group;

(8) "Limited lines travel insurance producer", a:

(a) Licensed managing general agent as provided by sections 375.147 to 375.153 or **third-party administrator**; ~~or~~

(b) Licensed insurance producer as provided by chapter 375~~], including a limited lines producer~~, designated by the insurer as the travel insurance supervising entity as set forth in **subdivision (7) of subsection [5] 3** of this section below; or

(c) **Travel administrator**;

~~[(2)]~~ (9) "Offer and disseminate", provide general information, including a description of the coverage and price, as well as process the application, collect premiums, and perform other nonlicensable activities permitted by the state;

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~~[(3)]~~ (10) "Primary certificate holder", a person who elects and purchases travel insurance under a group policy;

(11) "Primary policyholder", a person who elects and purchases individual travel insurance;

(12) "Travel administrator", a person who directly or indirectly underwrites; collects charges, collateral, or premiums from; or adjusts and settles claims on residents of this state in connection with travel insurance; except that a person shall not be considered a travel administrator if that person's only actions that would otherwise cause the person to be considered a travel administrator are among the following:

(a) A person working for a travel administrator to the extent that the person's activities are subject to the supervision and control of the travel administrator;

(b) An insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the producer's license;

(c) A travel retailer offering and disseminating travel insurance and registered under the license of a limited lines travel insurance producer in accordance with this section;

(d) A person adjusting or settling claims in the normal course of that person's practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage; or

(e) A business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer;

(13) "Travel assistance services", noninsurance services for which the consumer is not indemnified based on a fortuitous event and in which providing the service does not result in transfer or shifting of risk that would constitute the business of insurance. The term "travel assistance services" includes, but is not limited to: security advisories, destination information, vaccination and immunization information services, travel reservation services, entertainment, activity and event planning, translation assistance, emergency messaging, international legal and medical referrals, medical case monitoring, coordination of transportation arrangements, emergency cash transfer assistance, medical prescription replacement assistance, passport and travel document replacement assistance, lost luggage assistance, concierge services, and any other service that is furnished in connection with planned travel. Travel assistance services are not insurance and not related to insurance;

(14) "Travel insurance", insurance coverage for personal risks incident to planned travel, including, but not limited to:

(a) Interruption or cancellation of trip or event;

(b) Loss of baggage or personal effects;

(c) Damages to accommodations or rental vehicles; ~~or~~

(d) Sickness, accident, disability, or death occurring during travel;

(e) **Emergency evacuation;**

(f) **Repatriation of remains; or**

(g) **Any other contractual obligations to indemnify or pay a specified amount to the traveler upon determinable contingencies related to travel as approved by the director.**

Travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, including, for example, those persons working overseas as expatriates or military personnel being deployed, **or any other product that requires a specific insurance producer license;**

~~[(4)]~~ (15) "Travel protection plans", plans that provide one or more of the following:

(a) Travel insurance;

(b) Travel assistance services; or

(c) **Cancellation fee waivers;**

(16) "Travel retailer", a business entity that makes, arranges, or offers travel services and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a limited lines travel insurance producer.

2. (1) **The requirements of this section shall apply to travel insurance that covers any resident of this state and is sold, solicited, negotiated, or offered in this state and policies and certificates that are delivered or issued for delivery in this state. Except as expressly provided in this section, the requirements of this section shall not apply to cancellation fee waivers or travel assistance services.**

(2) **All other applicable provisions of this state's insurance laws shall continue to apply to travel insurance, except that the specific provisions of this section shall supersede any general provisions of law that would otherwise be applicable to travel insurance.**

3. Notwithstanding any other provision of law:

(1) **The director may issue a limited lines travel insurance producer license to a person or business entity that has filed with the director an application for a limited lines travel insurance producer license in a form and manner prescribed by the director. A limited lines travel insurance producer shall be licensed to sell, solicit, or negotiate travel insurance through a licensed insurer. No person shall act as a limited lines travel insurance producer or travel retailer unless properly licensed or registered, respectively;**

(2) A travel retailer may offer and disseminate travel insurance on behalf of and under the control of a limited lines travel insurance producer only if the following conditions are met:

(a) The limited lines travel insurance producer or travel retailer provides to purchasers of travel insurance:

- a. A description of the material terms or the actual material terms of the insurance coverage;
- b. A description of the process for filing a claim;
- c. A description of the review or cancellation process for the travel insurance policy; and
- d. The identity and contact information of the insurer and limited lines travel insurance producer;

(b) At the time of licensure, the limited lines travel insurance producer shall establish and maintain a register on a form prescribed by the director of each travel retailer that offers travel insurance on the limited lines travel insurance producer's behalf. The register shall be maintained and updated annually by the limited lines travel insurance producer and shall include the name, address, and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations, and the travel retailer's federal tax identification number. The limited lines travel insurance producer shall submit such register within thirty days upon request by the department. The limited lines travel insurance producer shall also certify that the travel retailer ~~register~~ **registered** complies with 18 U.S.C. 1033. **The grounds for suspension and revocation and the penalties applicable to resident insurance producers under sections 375.141 to 375.153 shall be applicable to the limited lines travel insurance producers and travel retailers;**

(c) The limited lines travel insurance producer has designated one of its employees who is a licensed individual producer as a person responsible for the business entity's compliance with the travel insurance laws, rules, and regulations of this state;

(d) The designated person under paragraph (c) of this subdivision, president, secretary, treasurer, and any other officer or person who directs or controls the limited lines travel insurance producer's insurance operations complies with the fingerprinting requirements applicable to insurance producers in the resident state of the ~~business entity~~ **limited lines travel insurance producer;**

(e) The limited lines travel insurance producer has paid all applicable insurance producer licensing fees as set forth in applicable state law;

(f) The limited lines travel insurance producer requires each employee and authorized representative of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training, which may be subject to review by the director. The training

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material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers;

~~[(2)]~~ **(3)** Any travel retailer offering or disseminating travel insurance shall make available to prospective purchasers brochures or other written materials that **have been approved by the travel insurer. Such materials shall include information that, at a minimum, shall:**

(a) Provide the identity and contact information of the insurer and the limited lines travel insurance producer;

(b) Explain that the purchase of travel insurance is not required to purchase any other product or service from the travel retailer; and

(c) Explain that an unlicensed travel retailer is permitted to provide general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage;

~~[(3)]~~ **(4)** A travel retailer's employee or authorized representative, who is not licensed as an insurance producer, may not:

(a) Evaluate or interpret the technical terms, benefits, and conditions of the offered travel insurance coverage;

(b) Evaluate or provide advice concerning a prospective purchaser's existing insurance coverage;

or

(c) Hold themselves or itself out as a licensed insurer, licensed producer, or insurance expert~~[-]~~;

~~[3. Notwithstanding any other provision of law,]~~ **(5)** A travel retailer whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating travel insurance on behalf of and under the direction of a limited lines travel insurance producer meeting the conditions stated in this section is authorized to do so and receive related compensation, upon registration by the limited lines travel insurance producer as described in paragraph (b) of subdivision ~~[(1)]~~ **(2)** of this subsection ~~[2 of this section.];~~

~~[(4)]~~ **(6)** Travel insurance may be provided under an individual policy or under a group or ~~[master]~~ **blanket policy**~~[-]~~;

~~[(5)]~~ **(7)** As the insurer designee, the limited lines travel insurance producer is responsible for the acts of the travel retailer and shall use reasonable means to ensure compliance by the travel retailer with this section; and

(8) Any person licensed in a major line of authority as an insurance producer is authorized to sell, solicit, and negotiate travel insurance. A property and casualty insurance producer is not required to become appointed by an insurer in order to sell, solicit, or negotiate travel insurance.

4. (1) A travel insurer shall pay premium tax, as provided in section 148.370, on travel insurance premiums paid by any of the following:

(a) An individual primary policyholder who is a resident of this state;

(b) A primary certificate holder who is a resident of this state who elects coverage under a group travel insurance policy; or

(c) A blanket travel insurance policyholder that is a resident in this state or has its principal place of business or the principal place of business of an affiliate or subsidiary that has purchased blanket travel insurance in this state for eligible blanket group members, subject to any apportionment rules that apply to the insurer across multiple taxing jurisdictions or that permit the insurer to allocate premium on an apportioned basis in a reasonable and equitable manner in those jurisdictions.

(2) A travel insurer shall:

(a) Document the state of residence or principal place of business of the policyholder or certificate holder, as required in subdivision (1) of this subsection; and

(b) Report as premium only the amount allocable to travel insurance and not any amounts received for travel assistance services or cancellation fee waivers.

5. Travel protection plans may be offered for one price for the combined features that the travel protection plan offers in this state if:

(1) The travel protection plan clearly discloses to the consumer, at or prior to the time of purchase, that it includes travel insurance, travel assistance services, and cancellation fee waivers as applicable, and provides information and an opportunity, at or prior to the time of purchase, for the consumer to obtain additional information regarding the features and pricing of each;

(2) The fulfillment materials describe and delineate the travel insurance, travel assistance services, and cancellation fee waivers in the travel protection plan; and

(3) The fulfillment materials include the travel insurance disclosures and the contact information for persons providing travel assistance services and cancellation fee waivers, as applicable.

6. (1) Except as otherwise provided in this section, all persons offering travel insurance to residents of this state are subject to sections 375.930 to 375.948. If there is a conflict between this section and other provisions of chapters 361 to 385 regarding the sale and marketing of travel insurance and travel protection plans, the provisions of this section shall control.

(2) Offering or selling a travel insurance policy that could never result in payment of any claims for any insured under the policy is an unfair trade practice under sections 375.930 to 375.948.

(3) (a) All documents provided to consumers prior to the purchase of travel insurance, including but not limited to sales materials, advertising materials, and marketing materials, shall be consistent with the travel insurance policy itself, including but not limited to forms, endorsements, policies, rate filings, and certificates of insurance.

(b) For travel insurance policies or certificates that contain preexisting condition exclusions, information and an opportunity to learn more about the preexisting condition exclusions shall be provided any time prior to the time of purchase, and in the coverage's fulfillment materials.

(c) The fulfillment materials and the information described in paragraph (a) of subdivision (2) of subsection 3 of this section shall be provided to a policyholder or certificate holder as soon as practicable following the purchase of a travel protection plan. Unless the insured has either started a covered trip or filed a claim under the travel insurance coverage, a policyholder or certificate holder may cancel a policy or certificate for a full refund of the travel protection plan price from the date of purchase of a travel protection plan until at least:

a. Fifteen days following the date of delivery of the travel protection plan's fulfillment materials by postal mail; or

b. Ten days following the date of delivery of the travel protection plan's fulfillment materials by means other than postal mail.

For purposes of this paragraph, delivery means handing fulfillment materials to the policyholder or certificate holder or sending fulfillment materials by postal mail or electronic means to the policyholder or certificate holder.

(d) The company shall disclose in the policy documentation and fulfillment materials whether the travel insurance is primary or secondary to other applicable coverage.

(e) Marketing travel insurance directly to a consumer through an insurer's website or by others through an aggregator site shall not be an unfair trade practice or other violation of law if an accurate summary or short description of coverage is provided on the web page and the consumer has access to the full provisions of the policy through electronic means.

(4) No person offering, soliciting, or negotiating travel insurance or travel protection plans on an individual or group basis shall do so by using negative option or opt-out that would require

a consumer to take an affirmative action to deselect coverage, such as unchecking a box on an electronic form, when the consumer purchases a trip.

(5) It shall be an unfair trade practice to market blanket travel insurance coverage as free.

(6) Where a consumer's destination jurisdiction requires insurance coverage, it shall not be an unfair trade practice to require that a consumer choose between the following options as a condition of purchasing a trip or travel package:

(a) Purchasing the coverage required by the destination jurisdiction through the travel retailer or limited lines travel insurance producer supplying the trip or travel package; or

(b) Agreeing to obtain and provide proof of coverage that meets the destination jurisdiction's requirements prior to departure.

7. (1) Notwithstanding any other provisions of chapters 361 to 385, no person shall act or represent himself or herself as a travel administrator for travel insurance in this state unless the person:

(a) Is a licensed property and casualty insurance producer in this state for activities permitted under that producer license;

(b) Holds a valid managing general agent license in this state; or

(c) Holds a valid third-party administrator license in this state.

(2) An insurer is responsible for the acts of a travel administrator administering travel insurance underwritten by the insurer, and is responsible for ensuring that the travel administrator maintains all books and records relevant to the insurer to be made available by the travel administrator to the director upon request.

8. (1) Notwithstanding any other provision of chapters 361 to 385, travel insurance shall be classified and filed for purposes of rates and forms under an inland marine line of insurance, except that travel insurance that provides coverage for sickness, accident, disability, or death occurring during travel, either exclusively or in conjunction with related coverages of emergency evacuation or repatriation of remains or incidental limited property and casualty benefits such as baggage or trip cancellation, may be filed under either an accident and health line of insurance or an inland marine line of insurance.

(2) Eligibility and underwriting standards for travel insurance may be developed and provided based on travel protection plans designed for individual or identified marketing or distribution channels, provided those standards also meet the state's underwriting standards for an inland marine line of insurance.

[6.] 9. The limited lines travel insurance producer and any travel retailer offering and disseminating travel insurance under the limited lines travel insurance producer license shall be subject to the provisions of chapters 374 and 375, except as provided for in this section.

[7.] 10. The director may promulgate rules to effectuate this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

376.380. LEGAL MINIMUM STANDARDS FOR VALUATION — INTEREST RATES — VALUATION MANUAL, OPERATIVE DATE, EFFECT OF — RESERVES REQUIRED. — 1. The legal minimum standard for valuation of policies and contracts and the reserves to be maintained thereon shall be as follows:

(1) For those policies and contracts issued prior to the operative date provided in subsection 20 of section 376.670:

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(a) Except as otherwise provided in subdivision (3) of this subsection, the legal minimum standard for valuation of policies of life insurance or annuity contracts issued prior to April 13, 1934, shall be the Actuaries' or Combined Experience Table of Mortality, with interest at the rate of five percent per annum for group annuity contracts and four percent per annum for all other policies and contracts; and for policies of life insurance and annuity contracts issued on and after April 13, 1934, such minimum standard shall be the American Experience Table of Mortality with interest at the rate of five percent per annum for group annuity contracts and three and one-half percent per annum for all other policies and contracts;

(b) The director may vary the legal minimum standards of interest and mortality for annuity contracts and in particular cases of invalid or substandard lives and other extra hazards, and shall have the right and authority to designate the legal minimum standard for valuation of total and permanent disability benefits and additional accidental death benefits;

(c) Policies issued by companies doing business in this state may provide for not more than one year preliminary term insurance by incorporating in the provisions thereof, specifying the premium consideration to be received, a clause plainly showing that the first year's insurance under such policies is term insurance, purchased by the whole or a part of the premium to be received during the first policy year and shall be valued accordingly; provided, that if the premium charged for term insurance under a limited payment life preliminary term policy providing for the payment of all premiums thereon in less than twenty years from the date of the policy, or under an endowment preliminary term policy, exceeds that charged for life insurance twenty payment life preliminary term policies of the same company, the reserve thereon at the end of any year, including the first, shall not be less than the reserve on a twenty payment life preliminary term policy issued in the same year and at the same age, together with an amount which shall be equivalent to the accumulation of a net level premium sufficient to provide for a pure endowment at the end of the premium payment period equal to the difference between the value at the end of such period of such twenty payment life preliminary term policy and the full reserve at such time of such a limited payment life or endowment policy. The premium payment period is the period during which premiums are concurrently payable under such twenty payment life preliminary term policy and such limited payment life or endowment policy;

(d) Reserves for all such policies and contracts may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this subdivision. In the case of policy obligations of an insolvent life insurance company assumed or reinsured in bulk by an insurance company upon a basis requiring a separate accounting of the business and assets of such insolvent company and an application of any part of the earnings therefrom upon obligations which are not implicit in the original terms of the policies or contracts assumed or reinsured, the director, in order to protect all policyholders of the reinsuring company, including the holders of all policies so assumed or reinsured, and to safeguard the future solvency of such reinsuring company, shall have the right and authority to designate standards of valuation for such reinsured policies and contracts which will produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this subdivision or the terms and provisions of the policies and contracts so assumed or reinsured, and, in such event, such reinsuring company shall not, thereafter, adopt any lower standards of valuation without the approval of the director.

(2) For those policies and contracts issued on or after the operative date provided in subsection 20 of section 376.670:

(a) Except as otherwise provided in subdivision (3) of this subsection and subsection 2 of this section, the minimum standard for the valuation of all such policies and contracts shall be the commissioners reserve valuation methods defined in paragraphs (b), (c), (d), (e), and (h) of this subdivision, three and one-half percent interest on all such policies and contracts except those contracts specified in subparagraph c. of this paragraph which consist of single premium annuity contracts and

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in subparagraph d. of this paragraph which consists of group annuity contracts where the interest rate shall be five percent, and except policies and contracts, other than annuity and pure endowment contracts, issued on or after September 28, 1975, where the interest rate shall be four percent interest for such policies issued prior to September 28, 1979, and four and one-half percent interest for such policies issued on or after September 28, 1979, and the following tables:

a. For all ordinary policies of life insurance issued prior to the operative date provided in subsection 12 of section 376.670 on the standard basis, excluding any disability and accidental death benefits in such policies, the Commissioners 1941 Standard Ordinary Mortality Table, and for such policies issued on or after the operative date provided in subsection 12 of section 376.670, and prior to the operative date of subsection 14 of section 376.670, the Commissioners 1958 Standard Ordinary Mortality Table; provided that for any category of such policies issued on or after September 28, 1979, on female risks all modified net premiums and present values referred to in this section may be calculated according to an age not more than six years younger than the actual age of the insured; and for such policies issued on or after the operative date of subsection 14 of section 376.670:

(i) The Commissioners 1980 Standard Ordinary Mortality Table; or

(ii) At the election of the company for any one or more specified plans of life insurance, the Commissioners 1980 Standard Ordinary Mortality Table with Ten-Year Select Mortality Factors; or

(iii) Any ordinary mortality table, adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such policies;

b. For all industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies, the 1941 Standard Industrial Mortality Table for such policies issued prior to the operative date of subsection 13 of section 376.670 and for such policies issued on or after such operative date, the Commissioners 1961 Standard Industrial Mortality Table or any industrial mortality table, adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such policies;

c. For individual annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality Table or, at the option of the company, the Annuity Mortality Table for 1949, Ultimate, or any modification of either of these tables approved by the director;

d. For group annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the Group Annuity Mortality Table for 1951, any modification of such table approved by the director, or, at the option of the company, any of the tables or modifications of tables specified for individual annuity and pure endowment contracts;

e. For total and permanent disability benefits in or supplementary to ordinary policies or contracts, for policies or contracts issued on or after January 1, 1966, the tables of period two disablement rates and the 1930 to 1950 termination rates of the 1952 disability study of the Society of Actuaries, with due regard to the type of benefit or any tables of disablement rates and termination rates, adopted after 1980 by the NAIC, that are approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such policies; for policies or contracts issued on or after January 1, 1961, and prior to January 1, 1966, either such tables or at the option of the company, the Class (3) Disability Table (1926); and for policies issued prior to January 1, 1961, the Class (3) Disability Table (1926). Any such table shall, for active lives, be combined with a mortality table permitted for calculating the reserves for life insurance policies;

f. For accidental death benefits in or supplementary to policies issued on or after January 1, 1966, the 1959 Accidental Death Benefits Table or any accidental death benefits table, adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such policies; for policies issued on or after January 1, 1961, and prior to January 1, 1966, either such table or, at the option of the company, the Inter-Company Double Indemnity Mortality Table; and for policies issued prior to January 1, 1961, the Inter-Company Double

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Indemnity Mortality Table. Either table shall be combined with a mortality table permitted for calculating the reserves for life insurance policies;

g. For group life insurance, life insurance issued on the substandard basis and other special benefits, such tables as may be approved by the director;

(b) Except as otherwise provided in paragraphs (d), (e), and (h) of this subdivision, reserves according to the commissioners reserve valuation method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed benefits provided for by such policies, over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of a. over b., as follows:

a. A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; provided, however, that such net level annual premium shall not exceed the net level annual premium on the nineteen year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy;

b. A net one year term premium for such benefit provided for in the first policy year; provided, that for any life insurance policy issued on or after January 1, 1986, for which the contract premium in the first policy year exceeds that of the second year and for which no comparable additional benefit is provided in the first year for such excess and which provides an endowment benefit or a cash surrender value or a combination thereof in an amount greater than such excess premium, the reserve according to the commissioners reserve valuation method as of any policy anniversary occurring on or before the assumed ending date defined herein as the first policy anniversary on which the sum of any endowment benefit and any cash surrender value then available is greater than such excess premium shall, except as otherwise provided in paragraph (h) of this subdivision, be the greater of the reserve as of such policy anniversary calculated as described in paragraph (b) of this subdivision and the reserve as of such policy anniversary calculated as described in paragraph (b) of this subdivision, but with:

(i) The value defined in subparagraph a. of paragraph (b) of this subdivision being reduced by fifteen percent of the amount of such excess first year premium;

(ii) All present values of benefits and premiums being determined without reference to premiums or benefits provided for by the policy after the assumed ending date;

(iii) The policy being assumed to mature on such date as an endowment; and

(iv) The cash surrender value provided on such date being considered as an endowment benefit.

In making the above comparison the mortality and interest bases stated in paragraph (a) of this subdivision and subsection 2 of this section shall be used;

(c) Reserves according to the commissioners reserve valuation method for:

a. Life insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums;

b. Group annuity and pure endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an employer (including a partnership or sole proprietorship) or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under Section 408 of the Internal Revenue Code, as now or hereafter amended;

c. Disability and accidental death benefits in all policies and contracts; and

d. All other benefits, except life insurance and endowment benefits in life insurance policies and benefits provided by all other annuity and pure endowment contracts, shall be calculated by a method consistent with the principles of paragraph (b) of this subdivision;

(d) Paragraph (e) of this subdivision shall apply to all annuity and pure endowment contracts other than group annuity and pure endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an employer (including a partnership or sole proprietorship), or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under Section 408 of the Internal Revenue Code, as now or hereafter amended;

(e) Reserves according to the commissioners annuity reserve method for benefits under annuity or pure endowment contracts, excluding any disability and accidental death benefits in such contracts, shall be the greatest of the respective excesses of the present values, at the date of valuation, of the future guaranteed benefits, including guaranteed nonforfeiture benefits, provided for by such contracts at the end of each respective contract year, over the present value, at the date of valuation, of any future valuation considerations derived from future gross considerations, required by the terms of such contract, that become payable prior to the end of such respective contract year. The future guaranteed benefits shall be determined by using the mortality table, if any, and the interest rate, or rates, specified in such contracts for determining guaranteed benefits. The valuation considerations are the portions of the respective gross considerations applied under the terms of such contracts to determine nonforfeiture values;

(f) In no event shall a company's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, be less than the aggregate reserves calculated in accordance with the method set forth in paragraphs (b), (c), (d), (e), (h) and (i) of this subdivision and the mortality table or tables and rate or rates of interest used in calculating nonforfeiture benefits for such policies;

(g) In no event shall the aggregate reserves for all policies, contracts and benefits be less than the aggregate reserves determined by the qualified actuary to be necessary to render the opinion required by subsections 4 and 5 of this section;

(h) If in any contract year the gross premium charged by any life insurance company on any policy or contract is less than the valuation net premium for the policy or contract calculated by the method used in calculating the reserve thereon but using the minimum valuation standards of mortality and rate of interest, the minimum reserve required for such policy or contract shall be the greater of either the reserve calculated according to the mortality table, rate of interest, and method actually used for such policy or contract, or the reserve calculated by the method actually used for such policy or contract but using the minimum valuation standards of mortality and rate of interest and replacing the valuation net premium by the actual gross premium in each contract year for which the valuation net premium exceeds the actual gross premium. The minimum valuation standards of mortality and rate of interest referred to in this section are those standards stated in paragraph (a) of this subdivision and subsection 2 of this section; provided, that for any life insurance policy issued on or after January 1, 1986, for which the gross premium in the first policy year exceeds that of the second year and for which no comparable additional benefit is provided in the first year for such excess and which provides an endowment benefit or a cash surrender value or a combination thereof in an amount greater than such excess premium, the foregoing provisions of this paragraph shall be applied as if the method actually used in calculating the reserve for such policy were the method described in paragraph (b) of this subdivision. The minimum reserve at each policy anniversary of such a policy shall be the greater of the minimum reserve calculated in accordance with paragraphs (b) and (c) of this subdivision and the minimum reserve calculated in accordance with this paragraph;

(i) In the case of any plan of life insurance which provides for future premium determination, the amounts of which are to be determined by the insurance company based on then estimates of future experience, or in the case of any plan of life insurance or annuity which is of such a nature that the

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minimum reserves cannot be determined by the methods described in paragraphs (b) to (e) of this subdivision, and paragraph (h) of this subdivision, the reserves which are held under any such plan must:

- a. Be appropriate in relation to the benefits and the pattern of premiums for that plan; and
- b. Be computed by a method which is consistent with the principles of this section as determined by regulations promulgated by the director.

(3) Except as provided in subsection 2 of this section, the minimum standard for the valuation of all individual annuity and pure endowment contracts issued on or after the operative date of this subdivision, as defined herein, and for all annuities and pure endowments purchased on or after such operative date under group annuity and pure endowment contracts, shall be the commissioners reserve valuation methods defined in paragraphs (b), (c), (d), and (e) of subdivision (2) of this subsection, and the following tables and interest rates:

(a) For individual annuity and pure endowment contracts issued prior to September 28, 1979, excluding any disability and accidental death benefits in such contracts, the 1971 Individual Annuity Mortality Table, or any modification of this table approved by the director, and six percent interest for single premium immediate annuity contracts, and four percent interest for all other individual annuity and pure endowment contracts;

(b) For individual single premium immediate annuity contracts issued on or after September 28, 1979, excluding any disability and accidental death benefits in such contracts, the 1971 Individual Annuity Mortality Table, or any individual annuity mortality table adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such contracts, or any modification of these tables approved by the director, and seven and one-half percent interest;

(c) For individual annuity and pure endowment contracts issued on or after September 28, 1979, other than single premium immediate annuity contracts, excluding any disability and accidental death benefits in such contracts, the 1971 Individual Annuity Mortality Table, or any individual annuity mortality table adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such contracts, or any modification of these tables approved by the director, and five and one-half percent interest for single premium deferred annuity and pure endowment contracts and four and one-half percent interest for all other such individual annuity and pure endowment contracts;

(d) For all annuities and pure endowments purchased prior to September 28, 1979, under group annuity and pure endowment contracts, excluding any disability and accidental death benefits purchased under such contracts, the 1971 Group Annuity Mortality Table, or any modification of this table approved by the director, and six percent interest;

(e) For all annuities and pure endowments purchased on or after September 28, 1979, under group annuity and pure endowment contracts, excluding any disability and accidental death benefits purchased under such contracts, the 1971 Group Annuity Mortality Table, or any group annuity mortality table adopted after 1980 by the NAIC, that is approved by regulation promulgated by the director for use in determining the minimum standard of valuation for such annuities and pure endowments, or any modification of these tables approved by the director, and seven and one-half percent interest;

(f) On and after September 28, 1975, any company may file with the director a written notice of its election to comply with the provisions of this subdivision after a specified date before January 1, 1980, which shall be the operative date of this subdivision for such company, provided a company may elect a different operative date for individual annuity and pure endowment contracts from that elected for group annuity and pure endowment contracts. If a company makes no such election, the operative date of this subdivision for such company shall be January 1, 1980.

2. (1) The calendar year statutory valuation interest rates as defined in this subsection shall be the interest rates used in determining the minimum standard for the valuation of:

(a) All life insurance policies issued in a particular calendar year, on or after the operative date of subsection 14 of section 376.670;

(b) All individual annuity and pure endowment contracts issued in a particular calendar year on or after January 1, 1983;

(c) All annuities and pure endowment contracts purchased in a particular calendar year on or after January 1, 1983, under group annuity and pure endowment contracts; and

(d) The net increase, if any, in a particular calendar year after January 1, 1983, in amounts held under guaranteed interest contracts.

(2) The calendar year statutory valuation interest rates, I , shall be determined as follows and the results rounded to the nearer one-quarter of one percent:

(a) For life insurance:

$$I = .03 + W(R1 - .03) + W/2(R2 - .09);$$

(b) For single premium immediate annuities and for annuity benefits involving life contingencies arising from other annuities with cash settlement options and from guaranteed interest contracts with cash settlement options:

$I = .03 + W(R - .03)$, where $R1$ is the lesser of R and $.09$; $R2$ is the greater of R and $.09$; R is the reference interest rate defined in this subsection; and W is the weighting factor defined in this subsection;

(c) For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, valued on an issue year basis, except as stated in paragraph (b) of this subdivision, the formula for life insurance stated in paragraph (a) of this subdivision shall apply to annuities and guaranteed interest contracts with guarantee durations in excess of ten years and the formula for single premium immediate annuities stated in paragraph (b) of this subdivision shall apply to annuities and guaranteed interest contracts with guarantee durations of ten years or less;

(d) For other annuities with no cash settlement options and for guaranteed interest contracts with no cash settlement options, the formula for single premium immediate annuities stated in paragraph (b) of this subdivision shall apply;

(e) For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, valued on a change in fund basis, the formula for single premium immediate annuities stated in paragraph (b) of this subdivision shall apply. If the calendar year statutory valuation interest rate for any life insurance policies issued in any calendar year determined without reference to this sentence differs from the corresponding actual rate for similar policies issued in the immediately preceding calendar year by less than one-half of one percent, the calendar year statutory valuation interest rate for such life insurance policies shall be equal to the corresponding actual rate for the immediately preceding calendar year. For purposes of applying the immediately preceding sentence, the calendar year statutory valuation interest rate for life insurance policies issued in a calendar year shall be determined for 1980 (using the reference interest rate defined for 1979) and shall be determined for each subsequent calendar year regardless of when subsection 14 of section 376.670 becomes operative.

(3) The weighting factors referred to in the formulas stated in subdivision (2) of this subsection are given in the following tables:

(a) Weighting factors for life insurance:

Guarantee	Weighting
Duration	Factors
(Years)	

10 or less	.50
More than 10, but not more than 20	.45
More than 20	.35

For life insurance, the guarantee duration is the maximum number of years the life insurance can remain in force on a basis guaranteed in the policy or under options to convert to plans of life insurance with premium rates or nonforfeiture values or both which are guaranteed in the original policy;

(b) Weighting factor for single premium immediate annuities and for annuity benefits involving life contingencies arising from other annuities with cash settlement options and guaranteed interest contracts with cash settlement options: .80;

(c) Weighting factors for other annuities and for guaranteed interest contracts, except as stated in paragraph (b) of this subdivision, shall be as specified in subparagraphs a., b., and c. of this paragraph, according to the rules and definitions in subparagraphs d., e., and f. of this paragraph:

a. For annuities and guaranteed interest contracts valued on an issue year basis:

Guarantee	Weighting Factor		
Duration	for Plan Type		
(Years)	A	B	C
5 or less:	.80	.60	.50
More than 5, but not more than 10:	.75	.60	.50
More than 10, but not more than 20:	.65	.50	.45
More than 20:	.45	.35	.35

b. For annuities and guaranteed interest contracts valued on a change in fund basis, the factors shown in subparagraph a. of this paragraph increased by:

Plan Type		
A	B	C
.15	.25	.05

c. For annuities and guaranteed interest contracts valued on an issue year basis (other than those with no cash settlement options) which do not guarantee interest on considerations received more than one year after issue or purchase and for annuities and guaranteed interest contracts valued on a change in fund basis which do not guarantee interest rates on considerations received more than twelve months beyond the valuation date, the factors shown in subparagraph a. of this paragraph or derived in subparagraph b. of this paragraph increased by:

Plan Type		
A	B	C
.05	.05	.05

d. For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, the guarantee duration is the number of years for which the contract guarantees interest rates in excess of the calendar year statutory valuation interest rate for life insurance policies with guarantee duration in excess of twenty years. For other annuities with no cash settlement options and for guaranteed interest contracts with no cash settlement options, the guarantee duration is the number of years from the date of issue or date of purchase to the date annuity benefits are scheduled to commence;

e. Plan type as used in subparagraphs a., b., and c. of this paragraph is defined as follows:

Plan Type A: At any time policyholder may withdraw funds only with an adjustment to reflect changes in interest rates or asset values since receipt of the funds by the insurance company, or without such adjustment but in installments over five years or more, or as an immediate life annuity, or no withdrawal permitted;

Plan Type B: Before expiration of the interest rate guarantee, policyholder may withdraw funds only with an adjustment to reflect changes in interest rates or asset values since receipt of the funds by the insurance company, or without such adjustment but in installments over five years or more, or no withdrawal permitted. At the end of interest rate guarantee, funds may be withdrawn without such adjustment in a single sum or installments over fewer than five years;

Plan Type C: Policyholder may withdraw funds before expiration of interest rate guarantee in a single sum or installments over fewer than five years either without adjustment to reflect changes in interest rates or asset values since receipt of the funds by the insurance company, or subject only to a fixed surrender charge stipulated in the contract as a percentage of the fund;

f. A company may elect to value guaranteed interest contracts with cash settlement options and annuities with cash settlement options on either an issue year basis or on a change in fund basis. Guaranteed interest contracts with no cash settlement options and other annuities with no cash settlement options must be valued on an issue year basis. As used in this subsection an issue year basis of valuation refers to a valuation basis under which the interest rate used to determine the minimum valuation standard for the entire duration of the annuity or guaranteed interest contract is the calendar year valuation interest rate for the year of issue or year of purchase of the annuity or guaranteed interest contract, and the change in fund basis of valuation refers to a valuation basis under which the interest rate used to determine the minimum valuation standard applicable to each change in the fund held under the annuity or guaranteed interest contract is the calendar year valuation interest rate for the year of the change in the fund.

(4) The "reference interest rate" referred to in subdivision (2) of this subsection shall be defined as follows:

(a) For all life insurance, the lesser of the average over a period of thirty-six months and the average over a period of twelve months, ending on June thirtieth of the calendar year next preceding the year of issue, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.;

(b) For single premium immediate annuities and for annuity benefits involving life contingencies arising from other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, the average over a period of twelve months, ending on June thirtieth of the calendar

year of issue or purchase, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.;

(c) For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, valued on a year of issue basis, except as stated in paragraph (b) of this subdivision, with guarantee duration in excess of ten years, the lesser of the average over a period of thirty-six months and the average over a period of twelve months, ending on June thirtieth of the calendar year of issue or purchase, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.;

(d) For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, valued on a year of issue basis, except as stated in paragraph (b) of this subdivision, with guarantee duration of ten years or less, the average over a period of twelve months, ending on June thirtieth of the calendar year of issue or purchase, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.;

(e) For other annuities with no cash settlement options and for guaranteed interest contracts with no cash settlement options, the average over a period of twelve months, ending on June thirtieth of the calendar year of issue or purchase, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.;

(f) For other annuities with cash settlement options and guaranteed interest contracts with cash settlement options, valued on a change in fund basis, except as stated in paragraph (b) of this subdivision, the average over a period of twelve months, ending on June thirtieth of the calendar year of the change in the fund, of the Monthly Average of the Composite Yield on Seasoned Corporate Bonds, as published by Moody's Investors Service, Inc.

(5) In the event that the Monthly Average of the Composite Yield on Seasoned Corporate Bonds is no longer published by Moody's Investors Service, Inc., or in the event that the NAIC determines that the Monthly Average of the Composite Yield on Seasoned Corporate Bonds as published by Moody's Investors Service, Inc., is no longer appropriate for the determination of the reference interest rate, then an alternative method for determination of the reference interest rate, which is adopted by the NAIC and approved by regulation promulgated by the director, may be substituted.

3. For accident and health insurance contracts issued on or after the operative date of the valuation manual, the standard prescribed in the valuation manual is the minimum standard of valuation required under subsection 2 of section 376.370. For disability, accident and sickness, and accident and health insurance contracts issued on or after the operative date provided in subsection 20 of section 376.670 and prior to the operative date of the valuation manual, the minimum standard of valuation is the standard adopted by the director by regulation.

4. (1) This subsection shall apply to actuarial opinions of reserves prior to the date of the valuation manual.

(2) Every life insurance company doing business in this state shall annually submit the opinion of a qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the director by regulation are computed appropriately, are based on assumptions which satisfy contractual provisions, are consistent with prior reported amounts and comply with applicable laws of this state. The director by regulation shall define the specifics of this opinion and add any other items deemed to be necessary to its scope.

(3) (a) Every life insurance company, except as exempted by or pursuant to regulation, shall also annually include in the opinion required by subdivision (2) of this subsection, an opinion of the same qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the director by regulation, when considered in light of the assets held by the company with respect to the reserves and related actuarial items, including but not limited to the investment earnings on the assets and the considerations anticipated to be received and retained under the policies and contracts, make adequate provision for the company's obligations under the policies

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

and contracts, including but not limited to the benefits under and expenses associated with the policies and contracts.

(b) The director may provide by regulation for a transition period for establishing any higher reserves which the qualified actuary may deem necessary in order to render the opinion required by this subsection.

(4) Each opinion required by subdivision (3) of this subsection shall be governed by the following provisions:

(a) A memorandum, in form and substance acceptable to the director as specified by regulation, shall be prepared to support each actuarial opinion; and

(b) If the insurance company fails to provide a supporting memorandum at the request of the director within a period specified by regulation or the director determines that the supporting memorandum provided by the insurance company fails to meet the standards prescribed by the regulations or is otherwise unacceptable to the director, the director may engage a qualified actuary at the expense of the company to review the opinion and the basis for the opinion and prepare such supporting memorandum as is required by the director.

(5) Every opinion required by this subsection shall be governed by the following provisions:

(a) The opinion shall be submitted with the annual statement reflecting the valuation of such reserve liabilities for each year ending on or after December 31, 1993;

(b) The opinion shall apply to all business in force including individual and group health insurance plans, in form and substance acceptable to the director as specified by regulation;

(c) The opinion shall be based on standards adopted from time to time by the Actuarial Standards Board and on such additional standards as the director may by regulation prescribe;

(d) In the case of an opinion required to be submitted by a foreign or alien company, the director may accept the opinion filed by that company with the insurance supervisory official of another state if the director determines that the opinion reasonably meets the requirements applicable to a company domiciled in this state;

(e) For the purposes of this section, "qualified actuary" means a member in good standing of the American Academy of Actuaries who meets the requirements set forth in such regulations;

(f) Except in cases of fraud or willful misconduct, the qualified actuary shall not be liable for damages to any person, other than the insurance company and the director, for any act, error, omission, decision or conduct with respect to the actuary's opinion;

(g) Disciplinary action by the director against the company or the qualified actuary shall be defined in regulations by the director; and

(h) Any memorandum in support of the opinion, and any other material provided by the company to the director in connection therewith, shall be kept confidential by the director and shall not be made public and shall not be subject to subpoena, other than for the purpose of defending an action seeking damages from any person by reason of any action required by this section or by regulations promulgated hereunder; except that the memorandum or other material may otherwise be released by the director:

a. With the written consent of the company; or

b. To the American Academy of Actuaries upon request stating that the memorandum or other material is required for the purpose of professional disciplinary proceedings and setting forth procedures satisfactory to the director for preserving the confidentiality of the memorandum or other material.

Once any portion of the confidential memorandum is cited by the company in its marketing or is cited before any governmental agency other than a state insurance department or is released by the company to the news media, all portions of the confidential memorandum shall be no longer confidential.

5. (1) This subsection shall apply to actuarial opinions of reserves after the operative date of the valuation manual.

(2) Every company with outstanding life insurance contracts, accident and health insurance contracts, or deposit-type contracts in Missouri and subject to regulation by the director shall annually submit the opinion of the appointed actuary as to whether the reserves and related actuarial items held in support of the policies and contracts are computed appropriately, are based on assumptions that satisfy contractual provisions, are consistent with prior reported amounts, and comply with applicable Missouri law. The valuation manual shall prescribe the specifics of such opinion, including any items deemed to be necessary to its scope.

(3) Every company with outstanding life insurance contracts, accident and health insurance contracts, or deposit-type contracts in Missouri and subject to regulation by the director, except as exempted in the valuation manual, shall also annually include in the opinion required under subdivision (2) of this subsection an opinion of the same appointed actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified in the valuation manual, when considered in light of the assets held by the company with respect to the reserves and related actuarial items including, but not limited to, the investment earnings on the assets and the considerations anticipated to be received and retained under the policies and contracts, make adequate provision for the company's obligations under the policies and contracts including, but not limited to, benefits under and expenses associated with the policies and contracts.

(4) Each opinion required by subdivision (3) of this subsection shall be governed by the following provisions:

(a) A memorandum, in form and substance as specified in the valuation manual and acceptable to the director, shall be prepared to support each actuarial opinion; and

(b) If the insurance company fails to provide a supporting memorandum at the request of the director within a period specified in the valuation manual or the director determines that the supporting memorandum provided by the insurance company fails to meet the standards prescribed by the valuation manual or is otherwise unacceptable to the director, the director may engage a qualified actuary at the expense of the company to review the opinion and the basis for the opinion and prepare the supporting memorandum required by the director.

(5) Every opinion required by this subsection shall be governed by the following:

(a) The opinion shall be in form and substance as specified in the valuation manual and acceptable to the director;

(b) The opinion shall be submitted with the annual statement reflecting the valuation of such reserve liabilities for each year ending on or after the operative date of the valuation manual;

(c) The opinion shall apply to all policies and contracts subject to subdivision (3) of this subsection, plus other actuarial liabilities as may be specified in the valuation manual;

(d) The opinion shall be based on standards adopted from time to time by the Actuarial Standards Board or its successor, and on such additional standards as may be prescribed in the valuation manual;

(e) In the case of an opinion required to be submitted by a foreign or alien company, the director may accept the opinion filed by such company with the insurance supervisory official of another state if the director determines that the opinion reasonably meets the requirements applicable to a company domiciled in Missouri;

(f) Except in cases of fraud or willful misconduct, the appointed actuary shall not be liable for damages to any person, other than the insurance company and the director, for any act, error, omission, decision, or conduct with respect to the appointed actuary's opinion; and

(g) Disciplinary action by the director against the company or the appointed actuary shall be defined in regulations by the director.

6. (1) For policies issued on or after the operative date of the valuation manual, the standard prescribed in the valuation manual is the minimum standard of valuation required under subsection 2 of section 376.370, except as provided under subdivision (5) or (7) of this subsection.

(2) The operative date of the valuation manual is January first of the first calendar year following the first July first as of which all of the following have occurred:

(a) The valuation manual has been adopted by the NAIC by an affirmative vote of at least forty-two members or three-fourths of the members voting, whichever is greater;

(b) The standard valuation law as amended by the NAIC in 2009 or legislation including substantially similar terms and provisions has been enacted by states representing greater than seventy-five percent of the direct premiums written as reported in the following annual statements submitted for 2008: life, accident, and health annual statements; health annual statements; or fraternal annual statements;

(c) The standard valuation law as amended by the NAIC in 2009 or legislation including substantially similar terms and provisions has been enacted by at least forty-two of the following fifty-five jurisdictions: the fifty states of the United States, American Samoa, the American Virgin Islands, the District of Columbia, Guam, and Puerto Rico; and

(d) The valuation manual becomes effective under an order of the director.

(3) Unless a change in the valuation manual specifies a later effective date, changes to the valuation manual shall be effective on January first following the date when all of the following have occurred:

(a) The change to the valuation manual has been adopted by the NAIC by an affirmative vote representing:

a. At least three-fourths of the members of the NAIC voting, but not less than a majority of the total membership; and

b. Members of the NAIC representing jurisdictions totaling greater than seventy-five percent of the direct premiums written as reported in the following annual statements most recently available prior to the vote in subparagraph a. of this paragraph: life, accident, and health annual statements; health annual statements; or fraternal annual statements;

(b) The valuation manual becomes effective under an order of the director.

(4) The valuation manual shall specify all of the following:

(a) Minimum valuation standards for and definitions of the policies or contracts subject to subsection 2 of section 376.370. Such minimum standards shall be:

a. The commissioners reserve valuation method for life insurance contracts, other than annuity contracts, subject to subsection 2 of section 376.370;

b. The commissioners annuity reserve valuation method for annuity contracts subject to subsection 2 of section 376.370; and

c. Minimum reserves for all other policies and contracts subject to subsection 2 of section 376.370;

(b) Which policies or contracts or types of policies or contracts are subject to the requirements of a principle-based valuation under subdivision (1) of subsection 7 of this section and the minimum valuation standards consistent with such requirements;

(c) For policies and contracts subject to principle-based valuation under subsection 7 of this section:

a. Requirements for the format of reports to the director under paragraph (c) of subdivision (2) of subsection 7 of this section and which shall include information necessary to determine if the valuation is appropriate and in compliance with sections 376.365 to 376.380;

b. Assumptions which shall be prescribed for risks over which the company does not have significant control or influence;

c. Procedures for corporate governance and oversight of the actuarial function, and a process for appropriate waiver or modification of such procedures;

(d) For policies not subject to a principle-based valuation under subsection 7 of this section, the minimum valuation standard shall either:

a. Be consistent with the minimum standard of valuation prior to the operative date of the valuation manual; or

b. Develop reserves that quantify the benefits and guarantees, and the funding, associated with the contracts and their risks at a level of conservatism that reflects conditions that include unfavorable events that have a reasonable probability of occurring;

(e) Other requirements including, but not limited to, those relating to reserve methods, models for measuring risk, generation of economic scenarios, assumptions, margins, use of company experience, risk measurement, disclosure, certifications, reports, actuarial opinions and memorandums, transition rules, and internal controls; and

(f) The data and form of the data required under subsection 8 of this section, to whom the data shall be submitted, and may specify other requirements, including data analyses and reporting of analyses.

(5) In the absence of a specific valuation requirement or if a specific valuation requirement in the valuation manual is not, in the opinion of the director, in compliance with sections 376.365 to 376.380, the company shall, with respect to such requirements, comply with minimum valuation standards prescribed by the director by regulation.

(6) The director may engage a qualified actuary, at the expense of the company, to perform an actuarial examination of the company and opine on the appropriateness of any reserve assumption or method used by the company, or to review and opine on a company's compliance with any requirement set forth in sections 376.365 to 376.380. The director may rely upon the opinion regarding provisions contained in sections 376.365 to 376.380 of a qualified actuary engaged by the director of another state, district, or territory of the United States. As used in this subdivision, engage includes employment and contracting.

(7) The director may require a company to change any assumption or method that in the opinion of the director is necessary in order to comply with the requirements of the valuation manual or sections 376.365 to 376.380, and the company shall adjust the reserves as required by the director. The director may take other disciplinary action as permitted under chapter 354 and chapters 374 to 385.

7. (1) A company shall establish reserves using a principle-based valuation that meets the following conditions for policies or contracts as specified in the valuation manual:

(a) Quantify the benefits and guarantees, and the funding, associated with the contracts and their risks at a level of conservatism that reflects conditions that include unfavorable events that have a reasonable probability of occurring during the lifetime of the contracts. For policies or contracts with significant tail risk, the company's valuation shall reflect conditions appropriately adverse to quantify the tail risk;

(b) Incorporate assumptions, risk analysis methods, and financial models and management techniques that are consistent with, but not necessarily identical to, those utilized within the company's overall risk assessment process, while recognizing potential differences in financial reporting structures and any prescribed assumptions or methods;

(c) Incorporate assumptions that are derived in one of the following manners:

a. The assumption is prescribed in the valuation manual; or

b. For assumptions that are not prescribed, the assumption shall:

(i) Be established utilizing the company's available experience to the extent it is relevant and statistically credible; or

(ii) To the extent that company data is not available, relevant, or statistically credible, be established utilizing other relevant statistically credible experience;

(d) Provide margins for uncertainty, including adverse deviation and estimation error, such that the greater the uncertainty the larger the margin and resulting reserve.

(2) A company using a principle-based valuation for one or more policies or contracts subject to this section as specified in the valuation manual shall:

(a) Establish procedures for corporate governance and oversight of the actuarial valuation function consistent with those described in the valuation manual;

(b) Provide to the director an annual certification of the effectiveness of the internal controls with respect to the principle-based valuation. Such controls shall be designed to ensure that all material risks inherent in the liabilities and associated assets subject to such valuation are included in the valuation and that valuations are made in accordance with the valuation manual. The certification shall be based on the controls in place as of the end of the preceding calendar year;

(c) Develop, and file with the director upon request, a principle-based valuation report that complies with standards prescribed in the valuation manual.

(3) A principle-based valuation may include a prescribed formulaic reserve component.

8. For policies in force on or after the operative date of the valuation manual, a company shall submit mortality, morbidity, policyholder behavior, or expense experience and other data as prescribed in the valuation manual.

9. (1) For purposes of this subsection, "confidential information" means:

(a) A memorandum in support of an opinion submitted under subsection 4 or 5 of this section and any other documents, materials, and other information including, but not limited to, all working papers and copies thereof created, produced, or obtained by or disclosed to the director or any other person in connection with such memorandum;

(b) All documents, materials, and other information including, but not limited to, all working papers and copies thereof created, produced, or obtained by or disclosed to the director or any other person in the course of an examination made under subdivision (6) of subsection 6 of this section; provided, however, that if an examination report or other material prepared in connection with an examination made under section 374.205 is not held as private and confidential information under section 374.205, an examination report or other material prepared in connection with an examination made under subdivision (6) of subsection 6 of this section shall not be confidential information to the same extent as if such examination report or other material had been prepared under section 374.205;

(c) Any reports, documents, materials, and other information developed by a company in support of or in connection with an annual certification by the company under paragraph (b) of subdivision (2) of subsection 7 of this section evaluating the effectiveness of the company's internal controls with respect to a principle-based valuation and any other documents, materials, and other information including, but not limited to, all working papers and copies thereof created, produced, or obtained by or disclosed to the director or any other person in connection with such reports, documents, material, and other information;

(d) Any principle-based valuation report developed under paragraph (c) of subdivision (2) of subsection 7 of this section and any other documents, materials, and other information including, but not limited to, all working papers and copies thereof created, produced, or obtained by or disclosed to the director or any other person in connection with such report; and

(e) Any documents, materials, data, and other information submitted by a company under subsection 8 of this section (collectively, "experience data") and any other documents, materials, data, and other information including, but not limited to, all working papers and copies thereof created or produced in connection with such experience data, in each case that include any potentially company-identifying or personally identifiable information, that is provided to or obtained by the director (together with any "experience data", the "experience materials") and any other documents, materials, data, and other information including, but not limited to, all working papers and copies thereof created, produced, or obtained by or disclosed to the director or any other person in connection with such experience materials.

(2) (a) Except as provided in this subsection, a company's confidential information is confidential by law and privileged, and shall not be subject to chapter 610, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action; provided, however, that the director is authorized to use the confidential information in the furtherance of any regulatory or legal action brought against the company as a part of the director's official duties.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(b) Neither the director nor any person who received confidential information while acting under the authority of the director shall be permitted or required to testify in any private civil action concerning any confidential information.

(c) In order to assist in the performance of the director's duties, the director may share confidential information with:

a. Other state, federal, and international regulatory agencies and with the NAIC and its affiliates and subsidiaries; and

b. In the case of confidential information specified in paragraphs (a) and (d) of subdivision (1) of this subsection only, the Actuarial Board for Counseling and Discipline or its successor upon request stating that the confidential information is required for the purpose of professional disciplinary proceedings and with state, federal, and international law enforcement officials.

(d) The sharing of confidential information detailed in paragraph (c) of this subdivision shall be contingent on such recipient agreeing and having the legal authority to agree to maintain the confidentiality and privileged status of such documents, materials, data, and other information in the same manner and to the same extent as required for the director.

(e) The director may receive documents, materials, data, and other information, including otherwise confidential and privileged documents, materials, data, or information, from the NAIC and its affiliates and subsidiaries, from regulatory or law enforcement officials of other foreign or domestic jurisdictions, and from the Actuarial Board for Counseling and Discipline or its successor and shall maintain as confidential or privileged any document, material, data, or other information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or other information.

(f) The director may enter into agreements governing sharing and use of information consistent with this subdivision.

(g) No waiver of any applicable privilege or claim of confidentiality in the confidential information shall occur as a result of disclosure to the director under this section or as a result of sharing as authorized in paragraph (c) of this subdivision.

(h) A privilege established under the law of any state or jurisdiction that is substantially similar to the privilege established under this subdivision shall be available and enforced in any proceeding in, and in any court of, Missouri.

(i) In this subsection, regulatory agency, law enforcement agency, and the NAIC include, but are not limited to, their employees, agents, consultants and contractors.

(3) Notwithstanding subdivision (2) of this subsection, any confidential information specified in paragraphs (a) and (d) of subdivision (1) of this subsection:

(a) May be subject to subpoena for the purpose of defending an action seeking damages from the appointed actuary submitting the related memorandum in support of an opinion submitted under subsection 4 or 5 of this section or principle-based valuation report developed under paragraph (c) of subdivision (2) of subsection 7 of this section by reason of an action required by sections 376.365 to 376.380 or by regulations promulgated hereunder;

(b) May otherwise be released by the director with the written consent of the company; and

(c) Once any portion of a memorandum in support of an opinion submitted under subsection 4 or 5 of this section or a principle-based valuation report developed under paragraph (c) of subdivision (2) of subsection 7 of this section is cited by the company in its marketing, or is publicly volunteered to or before a governmental agency other than a state insurance department, or is released by the company to the news media, all portions of such memorandum or report shall no longer be confidential.

10. The director may exempt specific product forms or product lines of a domestic company that is licensed and doing business only in Missouri from the requirements of subsection 6 of this section provided:

(1) The director has issued an exemption in writing to the company and has not subsequently revoked the exemption in writing; and

(2) The company computes reserves using assumptions and methods used prior to the operative date of the valuation manual in addition to any requirements established by the director and promulgated by regulation.

For any company granted an exemption under this section, subsection 3 of section 376.370 and subsections 1 to 5 of this section shall be applicable. With respect to any company applying this exemption, any reference to subsection 6 of this section found in subsection 3 of section 376.370 and subsections 1 to 5 of this section shall not be applicable.

~~[(1) A company that has less than three hundred million dollars of ordinary life premium and that is licensed and doing business in Missouri and that is subject to the requirements of subsections 6 and 7 of this section may hold reserves based on the mortality tables and interest rates defined by the valuation manual for net premium reserves and using the methodology defined in the provisions of paragraphs (b) through (i) of subdivision (2) of subsection 1 of this section and subsection 3 of section 376.370 as they apply to ordinary life insurance in lieu of the reserves required by subsections 6 and 7 of this section, provided that:~~

~~(a) If the company is a member of a group of life insurers, the group has combined ordinary life premiums of less than six hundred million dollars;~~

~~(b) The company reported total adjusted capital of at least four hundred fifty percent of authorized control level risk-based capital in the risk-based capital report for the prior calendar year;~~

~~(c) The appointed actuary has provided an unqualified opinion on the reserves in accordance with subsections 4 and 5 of this section for the prior calendar year;~~

~~(d) The company has provided a certification by a qualified actuary that any universal life policy with a secondary guarantee issued after the operative date of the valuation manual meets the definition of a nonmaterial secondary guarantee universal life product as defined in the valuation manual.~~

~~(2) For purposes of subdivision (1) of this subsection, ordinary life premiums are measured as direct premium plus reinsurance assumed from an unaffiliated company, as reported in the prior calendar year annual statement.~~

~~(3) A domestic company meeting all of the above conditions may file a statement prior to July first with the director certifying that these conditions are met for the current calendar year based on premiums and other values from the prior calendar year financial statements. The director may reject such statement prior to September first and require a company to comply with the valuation manual requirements for life insurance reserves.]~~

376.1800. DEFINITIONS — MEDICAL RETAINER AGREEMENTS NOT INSURANCE — AGREEMENT REQUIREMENTS — USE OF HEALTH SAVINGS ACCOUNTS FOR FEES. — 1. As used in this section, the following terms shall mean:

(1) "Medical retainer agreement", a contract between a **[physician] provider** and an individual patient or such individual patient's legal representative in which the **[physician] provider** agrees to provide certain health care services described in the agreement to the individual patient for an agreed-upon fee and period of time;

(2) **["Physician"] "Provider", a chiropractor licensed under chapter 331, a dentist licensed under chapter 332, or a physician licensed under chapter 334. [Physician] Provider** includes an individual **[physician] provider** or a group of **[physicians] providers**.

2. A medical retainer agreement is not insurance and is not subject to this chapter. Entering into a medical retainer agreement is not the business of insurance and is not subject to this chapter.

3. A **[physician] provider** or agent of a **[physician] provider** is not required to obtain a certificate of authority or license under this section to market, sell, or offer to sell a medical retainer agreement.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

4. To be considered a medical retainer agreement for the purposes of this section, the agreement shall meet all of the following requirements:

- (1) Be in writing;
- (2) Be signed by the **[physician] provider** or agent of the **[physician] provider** and the individual patient or such individual patient's legal representative;
- (3) Allow either party to terminate the agreement on written notice to the other party;
- (4) Describe the specific health care services that are included in the agreement;
- (5) Specify the fee for the agreement;
- (6) Specify the period of time under the agreement; and
- (7) Prominently state in writing that the agreement is not health insurance.

5. (1) For any patient who enters into a medical retainer agreement under this section and who has established a health savings account (HSA) in compliance with 26 U.S.C. Section 223, or who has a flexible spending arrangement (FSA) or health reimbursement arrangement (HRA), fees under the patient's medical retainer agreement may be paid from such health savings account or reimbursed through such flexible spending arrangement or health reimbursement arrangement, subject to any federal or state laws regarding qualified expenditures from a health savings account, or reimbursement through a flexible spending arrangement or a health reimbursement arrangement.

(2) The employer of any patient described in subdivision (1) of this subsection may:

(a) Make contributions to such patient's health savings account, flexible spending arrangement, or health reimbursement arrangement to cover all or any portion of the agreed-upon fees under the patient's medical retainer agreement, subject to any federal or state restrictions on contributions made by an employer to a health savings account, or reimbursement through a flexible spending arrangement, or health reimbursement arrangement; or

(b) Pay the agreed-upon fees directly to the **[physician] provider** under the medical retainer agreement.

6. Nothing in this section shall be construed as prohibiting, limiting, or otherwise restricting a **[physician] provider** in a collaborative practice arrangement from entering into a medical retainer agreement under this section.

379.011. DOCUMENTS REQUIRED FOR INSURANCE TRANSACTIONS OR PROOF OF COVERAGE BY ELECTRONIC MEANS PERMITTED, WHEN, REQUIREMENTS — INAPPLICABILITY. — 1. As used in this section, the following terms mean:

(1) "Delivered by electronic means", includes delivery to an electronic mail address at which a party has consented to receive notices or documents, or posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with a separate notice to a party directed to the electronic mail address at which the party has consented to receive notice of the posting;

(2) "Party", any recipient of any notice or document required as part of an insurance transaction, including but not limited to an applicant, an insured or a policyholder.

2. Subject to subsection 3 of this section, any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means so long as it meets the requirements of sections 432.200 to 432.295. Delivery of a notice or document in accordance with this subsection shall be considered equivalent to any delivery method required under applicable law, including delivery by first class mail, first class mail postage prepaid, certified mail, or certificate of mailing.

3. A notice or document may be delivered by electronic means by an insurer to a party under this **[subsection] section** if:

(1) The party has affirmatively consented to that method of delivery and has not withdrawn the consent;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

(2) The party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(a) Any right or option to have the notice or document provided in paper or another nonelectronic form at no additional cost;

(b) The right of ~~the~~ party to withdraw consent to have a notice or document delivered by electronic means;

(c) Whether the party's consent applies only to the particular transaction as to which the notice or document must be given or to identified categories of notices or documents that may be delivered by electronic means during the course of the parties' relationship;

(d) The means, after consent is given, by which a party may obtain a paper copy of a notice or document delivered by electronic means at no additional cost; and

(e) The procedure a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update information needed to contact the party electronically;

(3) The party, before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of a notice or document delivered by electronic means and consents electronically, and confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means as to which the party has given consent; and

(4) After consent of the party is given, the insurer, in the event a change in the hardware or software requirements needed to access or retain a notice or document delivered in electronic means creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies:

(a) Provides the party with a statement of the revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means and of the right of the party to withdraw consent pursuant to paragraph (b) of subdivision (2) of this subsection; and

(b) Complies with subdivision (2) of this subsection.

4. Notwithstanding any other provisions of this section, if a policy of insurance is purchased directly through an insurer's website, portal, or application, and is initially delivered by electronic means, a party's consent to have all future notices and documents related to the policy, or claims thereunder, delivered by electronic means shall be presumed. Nothing in this subsection shall affect the right of a party under this section to withdraw its consent to have a notice or document delivered by electronic means.

5. This section does not affect requirements relating to content or timing of any notice or document required under applicable law. If any provision of applicable law requiring a notice or document to be provided to a party expressly requires verification or acknowledgment of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt. Absent verification or acknowledgment of receipt of the initial notice or document on the part of the party, the insurer shall send two subsequent notices or documents at intervals of five business days. The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be made contingent upon obtaining electronic consent or confirmation of consent of the party in accordance with subdivision (3) of subsection 3 of this section.

[5-] 6. A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective. A withdrawal of consent by a party is effective within thirty days after receipt of the withdrawal by the insurer. Failure by an insurer to comply with subdivision (4) of subsection 3 of this section may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

~~[6.]~~ 7. This section does not apply to a notice or document delivered by an insurer in an electronic form before August 28, 2013, to a party who, before that date, has consented to receive notices or documents in an electronic form otherwise allowed by law. If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before August 28, 2013, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or documents electronically, the insurer shall notify the party of:

(1) The notices or documents that may be delivered by electronic means under this section that were not previously delivered electronically; and

(2) The party's right to withdraw consent to have notices or documents delivered by electronic means.

~~[7.]~~ 8. A party who does not consent to delivery of notices or documents under subsection 3 of this section, or who withdraws their consent, shall not be subject to any additional fees or costs for having notices or documents provided or made available to them in paper or another nonelectronic form.

~~[8.]~~ 9. If any provision of applicable law requires a signature or notice or document to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by the provision, is attached to or logically associated with the signature, notice, or document.

~~[9.]~~ 10. This section may not be construed to modify, limit, or supercede the provisions of sections 354.442, 376.1450, or 432.200 to 432.295. The provisions of this section shall apply to notices and documents issued by insurers organized under this chapter or chapter 380 and to notices and documents relating to life insurance products issued by insurers organized under chapter 376.

~~[10.]~~ 11. Nothing in this section shall prevent an insurer from offering a discount to an insured who elects to receive notices and documents electronically in accordance with this section.

SECTION B. EFFECTIVE DATE. — The repeal and reenactment of section 288.132 and the enactment of section 288.133 shall become effective January 1, 2023.

SECTION C. EFFECTIVE DATE. — The repeal and reenactment of sections 303.025 and 303.041 shall take effect on January 1, 2024.

Approved June 20, 2022

SS SCS HB 2331

Enacts provisions relating to programs administered by the department of health and senior services, with penalty provisions.

AN ACT to repeal sections 172.800, 190.100, 190.101, 190.103, 190.176, 190.200, 190.241, 190.243, 190.245, 191.116, 191.500, 191.515, 191.520, 191.525, 191.743, 192.005, 192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 195.206, 195.815, 196.866, 196.868, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 251.070, 301.020, 302.171, 335.230, 335.257, and 660.010, RSMo, and to enact in lieu thereof forty-seven new sections relating to programs administered by the department of health and senior services, with penalty provisions.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

SECTION

- A Enacting clause.
- 135.690 Faculty preceptors tax credit — definitions — amount — procedure — fund created, use of moneys — rules.
- 172.800 Definitions.
- 190.100 Definitions.
- 190.101 State advisory council on emergency medical services, members, purpose, duties — subcommittee established, duties.
- 190.103 Regional EMS medical director, powers, duties — considered public official, when — online telecommunication medical direction permitted — treatment protocols for special needs patients.
- 190.176 Data collection system.
- 190.200 Public information and education.
- 190.241 Trauma, STEMI, or stroke centers, designation by department — on-site reviews — grounds for suspension or revocation of designation — data submission and analysis — fees — administrative hearing commission to hear persons aggrieved by designation.
- 190.243 Transportation to trauma, STEMI, or stroke centers or hospitals, how authorized.
- 190.245 Peer review systems, required when — powers of department — medical records, penalty for failure to provide, purpose for use, names not to be released.
- 190.257 Advisory committee, time-critical diagnosis — recommendations to department — members.
- 191.116 Alzheimer's state plan task force established — members, appointment, duties — report — expiration date.
- 191.500 Definitions.
- 191.515 Requirements for application.
- 191.520 Maximum amount of loans — source of funds.
- 191.525 Number of loans available — to whom — length of loans.
- 191.743 High risk pregnancies, women to be informed of available services — consent to inform department of health and senior services, forms — confidentiality — physicians not to be liable.
- 192.005 Department of health and senior services created — division of health abolished — duties.
- 192.2225 Right to enter premises for compliance inspections or to investigate complaints — failure to permit, effect.
- 194.210 Definitions.
- 194.255 Persons eligible to receive gift in the document of gift — gifts not naming persons, effect of — refusal of gift required when.
- 194.265 Referral to procurement organization, diligent search of donor registry required — reasonable examination of body parts permitted, when — search for minor's parents required, when — attending physician shall not procure, when.
- 194.285 Immunity from liability, when.
- 194.290 Declarations and advance health care directives — definitions — gift in conflict with, donor or physician to resolve.
- 194.297 Organ donor program fund established — funding, administration, purpose — transfer to general revenue prohibited.
- 194.299 Money in organ donor program fund, how expended.
- 194.304 Transfer of donor registry information, department of revenue to cooperate — registry requirements.
- 194.321 Recipients and donors, COVID-19 vaccination status not to be considered, when, exception.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

- 195.206 Opioid antagonist, sale and dispensing of by pharmacists, possession of — administration of, contacting emergency personnel — immunity from liability, when.
- 195.815 Fingerprinting requirements, medical marijuana facilities — definitions.
- 196.866 Manufacturer's license required, exceptions — application, fees, investigation — expires when — license withheld or revoked, notice, hearing — judicial review.
- 196.868 Nonresident manufacturer to obtain broker's license, fee.
- 197.100 Inspections by department of health and senior services required, reports from certain other agencies accepted, when — department to determine life, safety, and building codes.
- 197.256 Renewal, when required, form, fee — survey, approval, renewal of certificate — certificate not renewed is void — statistical reports required.
- 197.258 Department authorized to make surveys, when required — visiting of homes — survey of other governmental agency, requirements — reciprocal agreements with bordering states — maintenance of branch office in Missouri required, when.
- 197.400 Definitions.
- 197.415 License issued or renewed, requirements.
- 197.445 Rules and regulations, procedure.
- 198.006 Definitions.
- 198.022 Duty of department on receipt of application — duty upon denial — department may copy records at its expense — removal of records prohibited — inspection, when — court order to inspect — out-of-state applicants, compliance history may be requested.
- 198.026 Noncompliance, how determined — procedure to correct — notice — reinspection — probationary license.
- 198.036 Revocation of license — grounds — notice required.
- 198.525 Inspection of certain long-term care facilities, when — restrictions on surveyors, required disclosures — immediate family member defined — conflict of interest, when.
- 198.526 Biannual inspections — reevaluation of inspection process — reduction in inspection schedule, when — disclosure of inspection schedule limited, penalty for violation.
- 198.545 Definitions — contracting with third parties — department to establish IDR process, procedures — rulemaking authority.
- 251.070 Department to implement older Americans act.
- 301.020 Application for registration of motor vehicles, contents — certain vehicles, special provisions — penalty for failure to comply — optional blindness assistance donation — donation to organ donor program or Missouri medal of honor recipients fund permitted.
- 302.171 Application for license — form — content — educational materials to be provided to applicants under twenty-one — voluntary contribution to certain programs and fund — denial of driving privilege, when — exemption from requirement to provide proof of residency — one-year renewal, requirements.
- 335.230 Financial assistance, amount.
- 335.257 Verification of qualified employment.
- 660.010 Department of social services created — divisions and agencies assigned to department — duties, powers — director's appointment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 172.800, 190.100, 190.101, 190.103, 190.176, 190.200, 190.241, 190.243, 190.245, 191.116, 191.500, 191.515, 191.520, 191.525, 191.743, 192.005,

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 195.206, 195.815, 196.866, 196.868, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 251.070, 301.020, 302.171, 335.230, 335.257, and 660.010, RSMo, are repealed and forty-seven new sections enacted in lieu thereof, to be known as sections 135.690, 172.800, 190.100, 190.101, 190.103, 190.176, 190.200, 190.241, 190.243, 190.245, 190.257, 191.116, 191.500, 191.515, 191.520, 191.525, 192.005, 192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 194.321, 195.206, 195.815, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 301.020, 302.171, 335.230, 335.257, and 660.010, to read as follows:

135.690. FACULTY PRECEPTORS TAX CREDIT — DEFINITIONS — AMOUNT — PROCEDURE — FUND CREATED, USE OF MONEYS — RULES. — 1. As used in this section, the following terms mean:

(1) "Community-based faculty preceptor", a physician or physician assistant who is licensed in Missouri and provides preceptorships to Missouri medical students or physician assistant students without direct compensation for the work of precepting;

(2) "Department", the Missouri department of health and senior services;

(3) "Division", the division of professional registration of the department of commerce and insurance;

(4) "Federally Qualified Health Center (FQHC)", a reimbursement designation from the Bureau of Primary Health Care and the Centers for Medicare and Medicaid services of the United States Department of Health and Human Services;

(5) "Medical student", an individual enrolled in a Missouri medical college approved and accredited as reputable by the American Medical Association or the Liaison Committee on Medical Education or enrolled in a Missouri osteopathic college approved and accredited as reputable by the Commission on Osteopathic College Accreditation;

(6) "Medical student core preceptorship" or "physician assistant student core preceptorship", a preceptorship for a medical student or physician assistant student that provides a minimum of one hundred twenty hours of community-based instruction in family medicine, internal medicine, pediatrics, psychiatry, or obstetrics and gynecology under the guidance of a community-based faculty preceptor. A community-based faculty preceptor may add together the amounts of preceptorship instruction time separately provided to multiple students in determining whether he or she has reached the minimum hours required under this subdivision, but the total preceptorship instruction time provided shall equal at least one hundred twenty hours in order for such preceptor to be eligible for the tax credit authorized under this section;

(7) "Physician assistant student", an individual participating in a Missouri physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor organization;

(8) "Taxpayer", any individual, firm, partner in a firm, corporation, or shareholder in an S corporation doing business in this state and subject to the state income tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

2. (1) Beginning January 1, 2023, any community-based faculty preceptor who serves as the community-based faculty preceptor for a medical student core preceptorship or a physician assistant student core preceptorship shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, in an amount equal to one thousand dollars for each preceptorship, up to a maximum of three thousand dollars per tax year, if he or she completes up to three preceptorship rotations during the tax year and did not receive any direct compensation for the preceptorships.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(2) To receive the credit allowed by this section, a community-based faculty preceptor shall claim such credit on his or her return for the tax year in which he or she completes the preceptorship rotations and shall submit supporting documentation as prescribed by the division and the department.

(3) In no event shall the total amount of a tax credit authorized under this section exceed a taxpayer's income tax liability for the tax year for which such credit is claimed. No tax credit authorized under this section shall be allowed a taxpayer against his or her tax liability for any prior or succeeding tax year.

(4) No more than two hundred preceptorship tax credits shall be authorized under this section for any one calendar year. The tax credits shall be awarded on a first-come, first-served basis. The division and the department shall jointly promulgate rules for determining the manner in which taxpayers who have obtained certification under this section are able to claim the tax credit. The cumulative amount of tax credits awarded under this section shall not exceed two hundred thousand dollars per year.

(5) Notwithstanding the provisions of subdivision (4) of this subsection, the department is authorized to exceed the two hundred thousand dollars per year tax credit program cap in any amount not to exceed the amount of funds remaining in the medical preceptor fund, as established under subsection 3 of this section, as of the end of the most recent tax year, after any required transfers to the general revenue fund have taken place in accordance with the provisions of subsection 3 of this section.

3. (1) Funding for the tax credit program authorized under this section shall be generated by the division from a license fee increase of seven dollars per license for physicians and surgeons and from a license fee increase of three dollars per license for physician assistants. The license fee increases shall take effect beginning January 1, 2023, based on the underlying license fee rates prevailing on that date. The underlying license fee rates shall be determined under section 334.090 and all other applicable provisions of chapter 334.

(2) (a) There is hereby created in the state treasury the "Medical Preceptor Fund", which shall consist of moneys collected under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the department for the administration of the tax credit program authorized under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the medical preceptor fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(b) Notwithstanding any provision of this chapter or any other provision of law to the contrary, all revenue from the license fee increases described under subdivision (1) of this subsection shall be deposited in the medical preceptor fund. After the end of every tax year, an amount equal to the total dollar amount of all tax credits claimed under this section shall be transferred from the medical preceptor fund to the state's general revenue fund established under section 33.543. Any excess moneys in the medical preceptor fund shall remain in the fund and shall not be transferred to the general revenue fund.

4. (1) The department shall administer the tax credit program authorized under this section. Each taxpayer claiming a tax credit under this section shall file an application with the department verifying the number of hours of instruction and the amount of the tax credit claimed. The hours claimed on the application shall be verified by the college or university department head or the program director on the application. The certification by the department

affirming the taxpayer's eligibility for the tax credit provided to the taxpayer shall be filed with the taxpayer's income tax return.

(2) No amount of any tax credit allowed under this section shall be refundable. No tax credit allowed under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive the tax credit authorized under this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

5. The department of commerce and insurance and the department of health and senior services shall jointly promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

172.800. DEFINITIONS. — As used in sections 172.800 to 172.807, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Alzheimer's disease and related disorders", diseases resulting from significant destruction of brain tissue and characterized by a decline of memory and other intellectual functions. These diseases include but are not limited to progressive, degenerative and dementing illnesses such as presenile and senile dementias, Alzheimer's disease and other related disorders;

(2) "Board of curators", the board of curators of the University of Missouri;

(3) "Investigator", any person with research skills who seeks state funding for a research project under sections 172.800 to 172.807;

(4) "Research project", any original investigation for the advancement of scientific knowledge in the area of Alzheimer's disease and related disorders;

(5) ~~["Task force", the Alzheimer's disease and related disorders task force established pursuant to sections 660.065 and 660.066;~~

~~(6)~~ "Advisory board", a board appointed by the board of curators to advise on the administration of the program established by sections 172.800 to 172.807.

190.100. DEFINITIONS. — As used in sections 190.001 to 190.245 **and section 190.257**, the following words and terms mean:

(1) "Advanced emergency medical technician" or "AEMT", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

(4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

(5) "Ambulance service area", a specific geographic area in which an ambulance service has been authorized to operate;

(6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(7) "Council", the state advisory council on emergency medical services;

(8) "Department", the department of health and senior services, state of Missouri;

(9) "Director", the director of the department of health and senior services or the director's duly authorized representative;

(10) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(11) "Emergency", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

(12) "Emergency medical dispatcher", a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(13) "Emergency medical responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation and any modifications to such curricula specified by the department through rules adopted under sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

(14) "Emergency medical response agency", any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(15) "Emergency medical services for children (EMS-C) system", the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

(16) "Emergency medical services (EMS) system", the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

(17) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

(18) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the

department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

(19) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

(20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

(21) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

(22) "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

(23) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

(24) "Medical control", supervision provided by or under the direction of physicians, or their designated registered nurse, including both online medical control, instructions by radio, telephone, or other means of direct communications, and offline medical control through supervision by treatment protocols, case review, training, and standing orders for treatment;

(25) "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

(26) "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

(27) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

(28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

(29) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

(30) "Physician", a person licensed as a physician pursuant to chapter 334;

(31) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

(32) "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

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(33) "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

(34) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

(35) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

(36) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

(37) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

(38) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

(39) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

(40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

(41) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

(42) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

(43) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

(44) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

(45) "Stroke center", a hospital that is currently designated as such by the department;

(46) **"Time-critical diagnosis", trauma care, stroke care, and STEMI care occurring either outside of a hospital or in a center designated under section 190.241;**

(47) **"Time-critical diagnosis advisory committee", a committee formed under section 190.257 to advise the department on policies impacting trauma, stroke, and STEMI center designations; regulations on trauma care, stroke care, and STEMI care; and the transport of trauma, stroke, and STEMI patients;**

(48) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

~~[(47)]~~ (49) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

~~[(48)]~~ (50) "Trauma center", a hospital that is currently designated as such by the department.

190.101. STATE ADVISORY COUNCIL ON EMERGENCY MEDICAL SERVICES, MEMBERS, PURPOSE, DUTIES — SUBCOMMITTEE ESTABLISHED, DUTIES. — 1. There is hereby established a "State Advisory Council on Emergency Medical Services" which shall consist of sixteen members, one of which shall be a resident of a city not within a county. The members of the council shall be appointed by the governor with the advice and consent of the senate and shall serve terms of four years. The governor shall designate one of the members as chairperson. The chairperson may appoint subcommittees that include noncouncil members.

2. The state EMS medical directors advisory committee and the regional EMS advisory committees will be recognized as subcommittees of the state advisory council on emergency medical services.

3. The council shall have geographical representation and representation from appropriate areas of expertise in emergency medical services including volunteers, professional organizations involved in emergency medical services, EMT's, paramedics, nurses, firefighters, physicians, ambulance service administrators, hospital administrators and other health care providers concerned with emergency medical services. The regional EMS advisory committees shall serve as a resource for the identification of potential members of the state advisory council on emergency medical services.

4. The state EMS medical director, as described under section 190.103, shall serve as an ex officio member of the council.

5. The members of the council and subcommittees shall serve without compensation except that members of the council shall, subject to appropriations, be reimbursed for reasonable travel expenses and meeting expenses related to the functions of the council.

~~[(5-)]~~ 6. The purpose of the council is to make recommendations to the governor, the general assembly, and the department on policies, plans, procedures and proposed regulations on how to improve the statewide emergency medical services system. The council shall advise the governor, the general assembly, and the department on all aspects of the emergency medical services system.

~~[(6-)]~~ 7. (1) There is hereby established a standing subcommittee of the council to monitor the implementation of the recognition of the EMS personnel licensure interstate compact under sections 190.900 to 190.939, the interstate commission for EMS personnel practice, and the involvement of the state of Missouri. The subcommittee shall meet at least biannually and receive reports from the Missouri delegate to the interstate commission for EMS personnel practice. The subcommittee shall consist of at least seven members appointed by the chair of the council, to include at least two members as recommended by the Missouri state council of firefighters and one member as recommended by the Missouri Association of Fire Chiefs. The subcommittee may submit reports and recommendations to the council, the department of health and senior services, the general assembly, and the governor regarding the participation of Missouri with the recognition of the EMS personnel licensure interstate compact.

(2) The subcommittee shall formally request a public hearing for any rule proposed by the interstate commission for EMS personnel practice in accordance with subsection 7 of section 190.930. The hearing request shall include the request that the hearing be presented live through the internet. The Missouri delegate to the interstate commission for EMS personnel practice shall be responsible for ensuring that all hearings, notices of, and related rulemaking communications as required by the compact be communicated to the council and emergency medical services personnel under the provisions of subsections 4, 5, 6, and 8 of section 190.930.

(3) The department of health and senior services shall not establish or increase fees for Missouri emergency medical services personnel licensure in accordance with this chapter for the purpose of

creating the funds necessary for payment of an annual assessment under subdivision (3) of subsection 5 of section 190.924.

8. The council shall consult with the time-critical diagnosis advisory committee, as described under section 190.257, regarding time-critical diagnosis.

190.103. REGIONAL EMS MEDICAL DIRECTOR, POWERS, DUTIES — CONSIDERED PUBLIC OFFICIAL, WHEN — ONLINE TELECOMMUNICATION MEDICAL DIRECTION PERMITTED — TREATMENT PROTOCOLS FOR SPECIAL NEEDS PATIENTS. — 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region's EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director's advisory committee and shall advise the department and their region's ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. The state EMS medical director shall be the chair of the state EMS medical director's advisory committee, and shall be elected by the members of the regional EMS medical director's advisory committee, shall serve a term of four years, and shall seek to coordinate EMS services between the EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally in the role of the state EMS medical director, and seek to incorporate the EMS system into the health care system serving Missouri.

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders. Emergency medical technicians shall only perform those medical procedures as directed by treatment protocols approved by the local medical director or when authorized through direct communication with online medical control.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors and the state EMS medical director elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to AEMTs, EMT-Bs, EMT-Ps, and community paramedics and provide offline medical direction per

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standardized treatment, triage, and transport protocols when EMS personnel, including AEMTs, EMT-Bs, EMT-Ps, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. **The state EMS medical directors advisory committee shall review and make recommendations regarding all proposed community and regional time-critical diagnosis plans.**

12. Notwithstanding any other provision of law to the contrary, when regional EMS medical directors are providing either online telecommunication medical direction to AEMTs, EMT-Bs, EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.176. DATA COLLECTION SYSTEM. — 1. The department shall develop and administer a uniform data collection system on all ambulance runs and injured patients, pursuant to rules promulgated by the department for the purpose of injury etiology, patient care outcome, injury and disease prevention and research purposes. The department shall not require disclosure by hospitals of data elements pursuant to this section unless those data elements are required by a federal agency or were submitted to the department as of January 1, 1998, pursuant to:

- (1) Departmental regulation of trauma centers; or
- (2) ~~[The Missouri brain and spinal cord injury registry established by sections 192.735 to 192.745;~~

~~or~~

- ~~(3)]~~ Abstracts of inpatient hospital data; or
- ~~[(4)]~~ **(3)** If such data elements are requested by a lawful subpoena or subpoena duces tecum.

2. All information and documents in any civil action, otherwise discoverable, may be obtained from any person or entity providing information pursuant to the provisions of sections 190.001 to 190.245.

190.200. PUBLIC INFORMATION AND EDUCATION. — 1. The department of health and senior services in cooperation with **hospitals and** local and regional EMS systems and agencies may provide public and professional information and education programs related to emergency medical services systems including trauma, STEMI, and stroke systems and emergency medical care and treatment. The department of health and senior services may also provide public information and education programs for informing residents of and visitors to the state of the availability and proper use of emergency medical services, **of the designation a hospital may receive as a trauma center, STEMI center, or stroke center,** of the value and nature of programs to involve citizens in the administering of prehospital emergency care, including cardiopulmonary resuscitation, and of the availability of training programs in emergency care for members of the general public.

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2. The department shall, for **trauma care**, STEMI care, and stroke care, respectively:

(1) Compile ~~and~~, assess, **and make publicly available** peer-reviewed and evidence-based clinical research and guidelines that provide or support recommended treatment standards **and that have been recommended by the time-critical diagnosis advisory committee**;

(2) Assess the capacity of the emergency medical services system and hospitals to deliver recommended treatments in a timely fashion;

(3) Use the research, guidelines, and assessment to promulgate rules establishing protocols for transporting **trauma patients to a trauma center**, STEMI patients to a STEMI center, or stroke patients to a stroke center. Such transport protocols shall direct patients to **trauma centers**, STEMI centers, and stroke centers under section 190.243 based on the centers' capacities to deliver recommended acute care treatments within time limits suggested by clinical research;

(4) Define regions within the state for purposes of coordinating the delivery of **trauma care**, STEMI care, and stroke care, respectively;

(5) Promote the development of regional or community-based plans for transporting **trauma**, STEMI, or stroke patients via ground or air ambulance to **trauma centers**, STEMI centers, or stroke centers, respectively, in accordance with section 190.243; and

(6) Establish procedures for the submission of community-based or regional plans for department approval.

3. A community-based or regional plan **for the transport of trauma, STEMI, and stroke patients** shall be submitted to the department for approval. Such plan shall be based on the clinical research and guidelines and assessment of capacity described in subsection ~~[4]~~ **2** of this section and shall include a mechanism for evaluating its effect on medical outcomes. Upon approval of a plan, the department shall waive the requirements of rules promulgated under sections 190.100 to 190.245 that are inconsistent with the community-based or regional plan. A community-based or regional plan shall be developed by ~~[or in consultation with]~~ the representatives of hospitals, physicians, and emergency medical services providers in the community or region.

190.241. TRAUMA, STEMI, OR STROKE CENTERS, DESIGNATION BY DEPARTMENT — ON-SITE REVIEWS — GROUNDS FOR SUSPENSION OR REVOCATION OF DESIGNATION — DATA SUBMISSION AND ANALYSIS — FEES — ADMINISTRATIVE HEARING COMMISSION TO HEAR PERSONS AGGRIEVED BY DESIGNATION. — 1. Except as provided for in subsection 4 of this section, the department shall designate a hospital as an adult, pediatric or adult and pediatric trauma center when a hospital, upon proper application submitted by the hospital and site review, has been found by the department to meet the applicable level of trauma center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. **Site review may occur on-site or by any reasonable means of communication, or by any combination thereof.** Such rules shall include designation as a trauma center without site review if such hospital is verified by a national verifying or designating body at the level which corresponds to a level approved in rule. **In developing trauma center designation criteria, the department shall use, as it deems practicable, peer-reviewed and evidence-based clinical research and guidelines including, but not limited to, the most recent guidelines of the American College of Surgeons.**

2. Except as provided for in subsection ~~[5]~~ **4** of this section, the department shall designate a hospital as a STEMI or stroke center when such hospital, upon proper application and site review, has been found by the department to meet the applicable level of STEMI or stroke center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. **Site review may occur on-site or by any reasonable means of communication, or by any combination thereof.** In developing STEMI center and stroke center designation criteria, the department shall use, as it deems practicable, ~~[appropriate]~~ peer-reviewed ~~[or]~~ **and** evidence-based **clinical research** ~~[on such topics]~~ **and guidelines** including, but not limited to, the most recent guidelines of the American College of

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Cardiology ~~[and], the American Heart Association [for STEMI centers, or the Joint Commission's Primary Stroke Center Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center Recommendations as published by], or the American Stroke Association.~~ Such rules shall include designation as a STEMI center **or stroke center** without site review if such hospital is certified by a national body.

3. The department of health and senior services shall, not less than once every ~~[five]~~ **three** years, conduct ~~[an on-site]~~ **a site** review of every trauma, STEMI, and stroke center through appropriate department personnel or a qualified contractor, with the exception of **trauma centers, STEMI centers, and stroke centers** designated pursuant to subsection ~~[5]~~ **4** of this section; however, this provision is not intended to limit the department's ability to conduct a complaint investigation pursuant to subdivision (3) of subsection 2 of section 197.080 of any trauma, STEMI, or stroke center. ~~[On-site]~~ **Site** reviews shall be coordinated for the different types of centers to the extent practicable with hospital licensure inspections conducted under chapter 197. No person shall be a qualified contractor for purposes of this subsection who has a substantial conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The department may deny, place on probation, suspend or revoke such designation in any case in which it has ~~[reasonable cause to believe that]~~ **determined** there has been a substantial failure to comply with the provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. **Centers that are placed on probationary status shall be required to demonstrate compliance with the provisions of this chapter and any rules or regulations promulgated under this chapter within twelve months of the date of the receipt of the notice of probationary status, unless otherwise provided by a settlement agreement with a duration of a maximum of eighteen months between the department and the designated center.** If the department of health and senior services has ~~[reasonable cause to believe]~~ **determined** that a hospital is not in compliance with such provisions or regulations, it may conduct additional announced or unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center fails two consecutive ~~[on-site]~~ **site** reviews because of substantial noncompliance with standards prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections 190.001 to 190.245, its center designation shall be revoked.

4. **(1)** Instead of applying for **trauma, STEMI, or stroke** center designation under subsection **1** or **2** of this section, a hospital may apply for **trauma, STEMI, or stroke** center designation under this subsection. Upon receipt of an application ~~[from a hospital]~~ on a form prescribed by the department, the department shall designate such hospital:-

~~(1) A level I STEMI center if such hospital has been certified as a Joint Commission comprehensive cardiac center or another department approved nationally recognized organization that provides comparable STEMI center accreditation; or~~

~~(2) A level II STEMI center if such hospital has been accredited as a Mission: Lifeline STEMI receiving center by the American Heart Association accreditation process or another department approved nationally recognized organization that provides STEMI receiving center accreditation.~~

5. Instead of applying for stroke center designation pursuant to the provisions of subsection 2 of this section, a hospital may apply for stroke center designation pursuant to this subsection. Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:

~~(1) A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines;~~

~~(2) A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines; or~~

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~~(3) A level III stroke center if such hospital has been certified as an acute stroke ready hospital by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines]~~ **at a state level that corresponds to a similar national designation as set forth in rules promulgated by the department. The rules shall be based on standards of nationally recognized organizations and the recommendations of the time-critical diagnosis advisory committee.**

(2) Except as provided by subsection ~~[6]~~ **5** of this section, the department shall not require compliance with any additional standards for establishing or renewing **trauma, STEMI, or** stroke designations **under this subsection**. The designation shall continue if such hospital remains certified **or verified**. The department may remove a hospital's designation as a **trauma center, STEMI center, or** stroke center if the hospital requests removal of the designation or the department determines that the certificate ~~[recognizing]~~ **or verification that qualified** the hospital ~~[as a stroke center]~~ **for the designation under this subsection** has been suspended or revoked. Any decision made by the department to withdraw its designation of a ~~[stroke]~~ center pursuant to this subsection that is based on the revocation or suspension of a certification **or verification** by a certifying **or verifying** organization shall not be subject to judicial review. The department shall report to the certifying **or verifying** organization any complaint it receives related to the ~~[stroke]~~ center ~~[certification of a stroke center]~~ designated pursuant to this subsection. The department shall also advise the complainant which organization certified **or verified** the ~~[stroke]~~ center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying **or verifying** organization.

~~[6.]~~ **5.** Any hospital receiving designation as a **trauma center, STEMI center, or** stroke center pursuant to subsection ~~[5]~~ **4** of this section shall:

(1) ~~[Annually and]~~ Within thirty days of any changes **or receipt of a certificate or verification**, submit to the department proof of ~~[stroke]~~ certification **or verification** and the names and contact information of the **center's** medical director and the program manager ~~[of the stroke center]; and~~

(2) ~~[Submit to the department a copy of the certifying organization's final stroke certification survey results within thirty days of receiving such results;~~

(3) ~~Submit every four years an application on a form prescribed by the department for stroke center review and designation;~~

(4) ~~Participate in the emergency medical services regional system of stroke care in its respective emergency medical services region as defined in rules promulgated by the department;~~

~~(5)] Participate in local and regional emergency medical services systems [by reviewing and sharing outcome data and]~~ **for purposes of providing training [and], sharing clinical educational resources, and collaborating on improving patient outcomes.**

Any hospital receiving designation as a level III stroke center pursuant to subsection ~~[5]~~ **4** of this section shall have a formal agreement with a level I or level II stroke center for physician consultative services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-thrombolytic therapy.

~~[7.]~~ **6.** Hospitals designated as a **trauma center, STEMI center, or** stroke center by the department~~], including those designated pursuant to subsection 5 of this section,]~~ shall submit data ~~[to meet the data submission requirements specified by rules promulgated by the department. Such submission of data may be done]~~ by **one of** the following methods:

(1) Entering hospital data ~~[directly]~~ into a state registry ~~[by direct data entry]; or~~

(2) ~~[Downloading hospital data from a nationally recognized registry or data bank and importing the data files into a state registry; or~~

(3) ~~Authorizing a nationally recognized registry or data bank to disclose or grant access to the department facility specific data held by the]~~ **Entering hospital data into a national** registry or data bank. A hospital submitting data pursuant to **this subdivision [(2) or (3) of this subsection]** shall not be

required to collect and submit any additional **trauma, STEMI, or stroke center data elements**. **No hospital submitting data to a national data registry or data bank under this subdivision shall withhold authorization for the department to access such data through such national data registry or data bank. Nothing in this subdivision shall be construed as requiring duplicative data entry by a hospital that is otherwise complying with the provisions of this subsection. Failure of the department to obtain access to data submitted to a national data registry or data bank shall not be construed as hospital noncompliance under this subsection.**

~~[8-]~~ 7. When collecting and analyzing data pursuant to the provisions of this section, the department shall comply with the following requirements:

(1) Names of any health care professionals, as defined in section 376.1350, shall not be subject to disclosure;

(2) The data shall not be disclosed in a manner that permits the identification of an individual patient or encounter;

(3) The data shall be used for the evaluation and improvement of hospital and emergency medical services' trauma, stroke, and STEMI care; **and**

(4) ~~[The data collection system shall be capable of accepting file transfers of data entered into any national recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma, stroke, or STEMI certification reporting requirements; and~~

~~(5)]~~ **Trauma, STEMI, and stroke center data elements shall conform to [nationally recognized performance measures, such as the American Heart Association's Get With the Guidelines] national registry or data bank data elements, and include published detailed measure specifications, data coding instructions, and patient population inclusion and exclusion criteria to ensure data reliability and validity.**

~~[9-]~~ ~~The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.~~

~~40-]~~ 8. The department shall not have authority to establish additional education requirements for physicians who are emergency medicine board certified or board eligible through the American Board of Emergency Medicine (ABEM) or the American Osteopathic Board of Emergency Medicine (AOBEM) and who are practicing in the emergency department of a facility designated as a trauma center, STEMI center, or stroke center by the department under this section. The department shall deem the education requirements promulgated by ABEM or AOBEM to meet the standards for designations under this section. Education requirements for non-ABEM or non-AOBEM certified physicians, nurses, and other providers who provide care at a facility designated as a trauma center, STEMI center, or stroke center by the department under this section shall mirror but not exceed those established by national designating or verifying bodies of trauma centers, STEMI centers, or stroke centers.

9. The department of health and senior services may establish appropriate fees to offset **only** the costs of trauma, STEMI, and stroke center ~~[reviews]~~**surveys**.

~~[11-]~~ 10. No hospital shall hold itself out to the public as a STEMI center, stroke center, adult trauma center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated as such by the department of health and senior services.

~~[12-]~~ 11. Any person aggrieved by an action of the department of health and senior services affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation, may seek a determination thereon by the administrative hearing commission under chapter 621. It shall not

be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department.

190.243. TRANSPORTATION TO TRAUMA, STEMI, OR STROKE CENTERS OR HOSPITALS, HOW AUTHORIZED. — 1. Severely injured patients shall be transported to a trauma center. Patients who suffer a STEMI, as defined in section 190.100, shall be transported to a STEMI center. Patients who suffer a stroke, as defined in section 190.100, shall be transported to a stroke center.

2. A physician, **physician assistant**, or registered nurse authorized by a physician who has established verbal communication with ambulance personnel shall instruct the ambulance personnel to transport a severely ill or injured patient to the closest hospital or designated trauma, STEMI, or stroke center, as determined according to estimated transport time whether by ground ambulance or air ambulance, in accordance with transport protocol approved by the medical director and the department of health and senior services, even when the hospital is located outside of the ambulance service's primary service area. When initial transport from the scene of illness or injury to a trauma, STEMI, or stroke center would be prolonged, the STEMI, stroke, or severely injured patient may be transported to the nearest appropriate facility for stabilization prior to transport to a trauma, STEMI, or stroke center.

3. Transport of the STEMI, stroke, or severely injured patient shall be governed by principles of timely and medically appropriate care; consideration of reimbursement mechanisms shall not supersede those principles.

4. Patients who do not meet the criteria for direct transport to a trauma, STEMI, or stroke center shall be transported to and cared for at the hospital of their choice so long as such ambulance service is not in violation of local protocols.

190.245. PEER REVIEW SYSTEMS, REQUIRED WHEN — POWERS OF DEPARTMENT — MEDICAL RECORDS, PENALTY FOR FAILURE TO PROVIDE, PURPOSE FOR USE, NAMES NOT TO BE RELEASED. — ~~[The department shall require hospitals, as defined by chapter 197, designated as trauma, STEMI, or stroke centers to provide for a peer review system, approved by the department, for trauma, STEMI, and stroke cases, respective to their designations, under section 537.035. For purposes of sections 190.241 to 190.245, the department of health and senior services shall have the same powers and authority of a health care licensing board pursuant to subsection 6 of section 537.035.]~~ Failure of a hospital to provide all medical records **and quality improvement documentation** necessary for the department to implement provisions of sections 190.241 to 190.245 shall result in the revocation of the hospital's designation as a trauma **center**, STEMI **center**, or stroke center. Any medical records obtained by the department ~~[or peer review committees]~~ shall be used only for purposes of implementing the provisions of sections 190.241 to 190.245 and the names of hospitals, physicians and patients shall not be released by the department or members of review ~~[committees]~~ **teams**.

190.257. ADVISORY COMMITTEE, TIME-CRITICAL DIAGNOSIS — RECOMMENDATIONS TO DEPARTMENT — MEMBERS. — 1. There is hereby established the "Time-Critical Diagnosis Advisory Committee", to be designated by the director for the purpose of advising and making recommendations to the department on:

- (1) Improvement of public and professional education related to time-critical diagnosis;
- (2) Engagement in cooperative research endeavors;
- (3) Development of standards, protocols, and policies related to time-critical diagnosis, including recommendations for state regulations; and
- (4) Evaluation of community and regional time-critical diagnosis plans, including recommendations for changes.

2. The members of the committee shall serve without compensation, except that the department shall budget for reasonable travel expenses and meeting expenses related to the functions of the committee.

3. The director shall appoint sixteen members to the committee from applications submitted for appointment, with the membership to be composed of the following:

(1) Six members, one from each EMS region, who are active participants providing emergency medical services, with at least:

- (a) One member who is a physician serving as a regional EMS medical director;
- (b) One member who serves on an air ambulance service;
- (c) One member who resides in an urban area; and
- (d) One member who resides in a rural area; and

(2) Ten members who represent hospitals, with at least:

- (a) One member who is employed by a level I or level II trauma center;
- (b) One member who is employed by a level I or level II STEMI center;
- (c) One member who is employed by a level I or level II stroke center;
- (d) One member who is employed by a rural or critical access hospital; and

(e) Three physicians, with one physician certified by the American Board of Emergency Medicine (ABEM) or American Osteopathic Board of Emergency Medicine (AOBEM) and two physicians employed in time-critical diagnosis specialties at a level I or level II trauma center, STEMI center, or stroke center.

4. In addition to the sixteen appointees, the state EMS medical director shall serve as an ex officio member of the committee.

5. The director shall make a reasonable effort to ensure that the members representing hospitals have geographical representation from each district of the state designated by a statewide nonprofit membership association of hospitals.

6. Members appointed by the director shall be appointed for three-year terms. Initial appointments shall include extended terms in order to establish a rotation to ensure that only approximately one-third of the appointees will have their term expire in any given year. An appointee wishing to continue in his or her role on the committee shall resubmit an application as required by this section.

7. The committee shall consult with the state advisory council on emergency medical services, as described in section 190.101, regarding issues involving emergency medical services.

191.116. ALZHEIMER'S STATE PLAN TASK FORCE ESTABLISHED — MEMBERS, APPOINTMENT, DUTIES — REPORT — EXPIRATION DATE. — 1. There is hereby established in the department of health and senior services the "Alzheimer's State Plan Task Force". The task force shall consist of twenty-one members, as follows:

- (1) The lieutenant governor, or his or her designee, who shall serve as chair of the task force;
- (2) The directors of the departments of health and senior services, social services, and mental health, or their designees;
- (3) One member of the house of representatives to be appointed by the speaker of the house of representatives;
- (4) One member of the senate to be appointed by the president pro tempore of the senate;
- (5) One member who has early-stage Alzheimer's disease or a related dementia;
- (6) One member who is a family caregiver of a person with Alzheimer's disease or a related dementia;
- (7) One member who is a licensed physician with experience in the diagnosis, treatment, and research of Alzheimer's disease;
- (8) One member from the office of state ombudsman for long-term care facility residents;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

- (9) One member representing residential long-term care;
 - (10) One member representing the home care profession;
 - (11) One member representing the adult day services profession;
 - (12) One member representing the area agencies on aging;
 - (13) One member with expertise in minority health;
 - (14) One member representing the law enforcement community;
 - (15) One member from the department of higher education and workforce development with knowledge of workforce training;
 - (16) Two members representing voluntary health organizations in Alzheimer's disease care, support, and research;
 - (17) One member representing licensed skilled nursing facilities; and
 - (18) One member representing Missouri veterans' homes.
2. The members of the task force, other than the lieutenant governor, members from the general assembly, and department and division directors, shall be appointed by the governor with the advice and consent of the senate. Members shall serve on the task force without compensation.
3. The task force shall assess all state programs that address Alzheimer's disease and update and maintain an integrated state plan to overcome the challenges caused by Alzheimer's disease. The state plan shall include implementation steps and recommendations for priority actions based on this assessment. The task force's actions shall include, but shall not be limited to, the following:
- (1) Assess the current and future impact of Alzheimer's disease on residents of the state of Missouri;
 - (2) Examine the existing services and resources addressing the needs of persons with Alzheimer's disease and their families and caregivers;
 - (3) Develop recommendations to respond to the escalating public health crisis regarding Alzheimer's disease;
 - (4) Ensure the inclusion of ethnic and racial populations that have a higher risk for Alzheimer's disease or are least likely to receive care in clinical, research, and service efforts, with the purpose of decreasing health disparities in Alzheimer's disease treatment;
 - (5) Identify opportunities for the state of Missouri to coordinate with federal government entities to integrate and inform the fight against Alzheimer's disease;
 - (6) Provide information and coordination of Alzheimer's disease research and services across all state agencies;
 - (7) Examine dementia-specific training requirements across health care, adult protective services workers, law enforcement, and all other areas in which staff are involved with the delivery of care to those with Alzheimer's disease and other dementias; and
 - (8) Develop strategies to increase the diagnostic rate of Alzheimer's disease in Missouri.
4. The task force shall deliver a report of recommendations to the governor and members of the general assembly no later than ~~June 1, 2022~~ **January 1, 2023**.
5. The task force shall continue to meet at the request of the chair and at a minimum of one time annually for the purpose of evaluating the implementation and impact of the task force recommendations and shall provide annual supplemental report updates on the findings to the governor and the general assembly.
6. The provisions of this section shall expire on December 31, ~~2026~~ **2027**.

191.500. DEFINITIONS. — As used in sections 191.500 to 191.550, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Area of defined need", a community or section of an urban area of this state which is certified by the department of health and senior services as being in need of the services of a physician to improve the patient-doctor ratio in the area, to contribute professional physician services to an area of economic

impact, or to contribute professional physician services to an area suffering from the effects of a natural disaster;

(2) "Department", the department of health and senior services;

(3) "Eligible student", a full-time student accepted and enrolled in a formal course of instruction leading to a degree of doctor of medicine or doctor of osteopathy, **including psychiatry**, at a participating school, **or a doctor of dental surgery, doctor of dental medicine, or a bachelor of science degree in dental hygiene**;

(4) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant pursuant to sections 191.500 to 191.550;

(5) "Participating school", an institution of higher learning within this state which grants the degrees of doctor of medicine or doctor of osteopathy, and which is accredited in the appropriate degree program by the American Medical Association or the American Osteopathic Association, **or a degree program by the American Dental Association or the American Psychiatric Association, and applicable residency programs for each degree type and discipline**;

(6) "Primary care", general or family practice, internal medicine, pediatric [ø], **psychiatric**, obstetric and gynecological care as provided to the general public by physicians licensed and registered pursuant to chapter 334, **dental practice, or a dental hygienist licensed and registered pursuant to chapter 332**;

(7) "Resident", any natural person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state;

(8) "Rural area", a town or community within this state which is not within a "standard metropolitan statistical area", and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a standard metropolitan statistical area.

191.515. REQUIREMENTS FOR APPLICATION. — An eligible student may apply to the department for a loan under sections 191.500 to 191.550 only if, at the time of his application and throughout the period during which he receives the loan, he has been formally accepted as a student in a participating school in a course of study leading to the degree of doctor of medicine or doctor of osteopathy, **including psychiatry, or a doctor of dental surgery, a doctor of dental medicine, or a bachelor of science degree in dental hygiene**, and is a resident of this state.

191.520. MAXIMUM AMOUNT OF LOANS — SOURCE OF FUNDS. — No loan to any eligible student shall exceed ~~[seven thousand five hundred]~~ **twenty-five thousand** dollars for each academic year, which shall run from August first of any year through July thirty-first of the following year. All loans shall be made from funds appropriated to the medical school loan and loan repayment program fund created by section 191.600, by the general assembly.

191.525. NUMBER OF LOANS AVAILABLE — TO WHOM — LENGTH OF LOANS. — No more than twenty-five loans shall be made to eligible students during the first academic year this program is in effect. Twenty-five new loans may be made for the next three academic years until a total of one hundred loans are available. At least one-half of the loans shall be made to students from rural areas as defined in section 191.500. An eligible student may receive loans for each academic year he is pursuing a course of study directly leading to a degree of doctor of medicine or doctor of osteopathy, **doctor of dental surgery, or doctor of dental medicine, or a bachelor of science degree in dental hygiene**.

192.005. DEPARTMENT OF HEALTH AND SENIOR SERVICES CREATED — DIVISION OF HEALTH ABOLISHED — DUTIES. — **1.** There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior

services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of developmental disability, the hospital subsidy program, chapter 189, the state board of health and senior services, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, the licensure and certification of hospitals, chapter 197, the Missouri chest hospital, sections 199.010 to 199.070, are hereby transferred to the department of health and senior services by a type I transfer, and the state cancer center and cancer commission, chapter 200, is hereby transferred to the department of health and senior services by a type III transfer as such transfers are defined in section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section. The division of health of the department of social services is abolished.

2. The state's responsibility under public law 73, Older Americans Act of 1965, of the eighty-ninth Congress is transferred by type I transfer to the department of health and senior services. The department shall be responsible for the implementation of the Older Americans Act in Missouri. The department shall develop a state plan describing a program for carrying out the Older Americans Act and shall be the sole agency responsible for coordinating all state programs related to the implementation of such plan.

192.2225. RIGHT TO ENTER PREMISES FOR COMPLIANCE INSPECTIONS OR TO INVESTIGATE COMPLAINTS — FAILURE TO PERMIT, EFFECT. — 1. The department shall have the right to enter the premises of an applicant for or holder of a license at any time during the hours of operation of a center to determine compliance with provisions of sections 192.2200 to 192.2260 and applicable rules promulgated pursuant thereto. Entry shall also be granted for investigative purposes involving complaints regarding the operations of an adult day care program. The department shall make at least ~~[two inspections]~~ **one inspection** per year, ~~[at least one of]~~ which shall be unannounced to the operator or provider. The department may make such other inspections, announced or unannounced, as it deems necessary to carry out the provisions of sections 192.2200 to 192.2260.

2. ~~[The department may reduce the frequency of inspections to once a year if an adult day care program is found to be in substantial compliance. The basis for such determination shall include, but not be limited to, the following:~~

- ~~(1) Previous inspection reports;~~
- ~~(2) The adult day care program's history of compliance with rules promulgated pursuant to this chapter; and~~
- ~~(3) The number and severity of complaints received about the adult day care program.~~

~~3-]~~ The applicant for or holder of a license shall cooperate with the investigation and inspection by providing access to the adult day care program, records and staff, and by providing access to the adult day care program to determine compliance with the rules promulgated pursuant to sections 192.2200 to 192.2260.

~~[4]~~ **3.** Failure to comply with any lawful request of the department in connection with the investigation and inspection is a ground for refusal to issue a license or for the revocation of a license.

~~[5-]~~ **4.** The department may designate to act for it, with full authority of law, any instrumentality of any political subdivision of the state of Missouri deemed by the department to be competent to investigate and inspect applicants for or holders of licenses.

194.210. DEFINITIONS. — 1. Sections 194.210 to 194.294 may be cited as the "Revised Uniform Anatomical Gift Act".

2. As used in sections 194.210 to 194.294, the following terms mean:

(1) "Adult", an individual who is at least eighteen years of age;

(2) "Agent", an individual:

(a) Authorized to make health-care decisions on the principal's behalf by a power of attorney for health care; or

(b) Expressly authorized to make an anatomical gift on the principal's behalf by any other record signed by the principal;

(3) "Anatomical gift", a donation of all or part of a human body to take effect after the donor's death for the purposes of transplantation, therapy, research, or education;

(4) ~~["Cadaver procurement organization", an entity lawfully established and operated for the procurement and distribution of anatomical gifts to be used as cadavers or cadaver tissue for appropriate education or research;~~

~~(5)~~ (5) "Decedent", a deceased individual whose body or part is or may be the source of an anatomical gift. The term includes a stillborn infant but does not include an unborn child as defined in section 1.205 or 188.015 if the child has not died of natural causes;

~~[(6)]~~ (5) "Disinterested witness", a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift. The term does not include a person to which an anatomical gift could pass under section 194.255;

~~[(7)]~~ (6) "Document of gift", a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver's license, identification card, or donor registry;

~~[(8)]~~ (7) "Donor", an individual whose body or part is the subject of an anatomical gift provided that donor does not include an unborn child as defined in section 1.205 or section 188.015 if the child has not died of natural causes;

~~[(9)]~~ (8) "Donor registry", a database that contains records of anatomical gifts and amendments to or revocations of anatomical gifts;

~~[(10)]~~ (9) "Driver's license", a license or permit issued by the department of revenue to operate a vehicle whether or not conditions are attached to the license or permit;

~~[(11)]~~ (10) "Eye bank", a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of human eyes or portions of human eyes;

~~[(12)]~~ (11) "Guardian", a person appointed by a court pursuant to chapter 475. The term does not include a guardian ad litem;

~~[(13)]~~ (12) "Hospital", a facility licensed as a hospital under the laws of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state;

~~[(14)]~~ (13) "Identification card", an identification card issued by the department of revenue;

~~[(15)]~~ (14) "Know", to have actual knowledge;

~~[(16)]~~ (15) "Minor", an individual who is under eighteen years of age;

~~[(17)]~~ (16) "Organ procurement organization", ~~[a person]~~ **an entity** designated by the United States Secretary of Health and Human Services as an organ procurement organization;

~~[(18)]~~ (17) "Parent", a parent whose parental rights have not been terminated;

~~[(19)]~~ (18) "Part", an organ, an eye, or tissue of a human being. The term does not include the whole body;

~~[(20)]~~ (19) "Person", an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity;

~~[(24)]~~ (20) "Physician", an individual authorized to practice medicine or osteopathy under the laws of any state;

(21) **"Potential donor", an individual whose body or part is the subject of an anatomical gift, provided that donor does not include an unborn child, as defined in section 188.015, if the child has not died of natural causes;**

(22) "Procurement organization", an eye bank, organ procurement organization, ~~[or]~~ tissue bank, **or an entity lawfully established and operated for the procurement and distribution of anatomical gifts to be used as donated organs, donated tissues, or for appropriate scientific or medical research;**

(23) "Prospective donor", an individual who is dead or near death and has been determined by a procurement organization to have a part that could be medically suitable for transplantation, therapy, research, or education. The term does not include an individual who has made a refusal;

(24) "Reasonably available", able to be contacted by a procurement organization with reasonable effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift;

(25) "Recipient", an individual into whose body a decedent's part has been or is intended to be transplanted;

(26) "Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(27) "Refusal", a record created under section 194.235 that expressly states an intent to bar other persons from making an anatomical gift of an individual's body or part;

(28) "Sign", with the present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach or logically associate with the record an electronic symbol, sound, or process;

(29) "State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the United States;

(30) "Technician", an individual determined to be qualified to remove or process parts by an appropriate organization that is licensed, accredited, or regulated under federal or state law. The term includes an eye enucleator;

(31) "Tissue", a portion of the human body other than an organ or an eye. The term does not include blood unless the blood is donated for purposes of research or education;

(32) "Tissue bank", a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue;

(33) "Transplant hospital", a hospital that furnishes organ transplants and other medical and surgical specialty services required for the care of transplant patients.

194.255. PERSONS ELIGIBLE TO RECEIVE GIFT IN THE DOCUMENT OF GIFT — GIFTS NOT NAMING PERSONS, EFFECT OF — REFUSAL OF GIFT REQUIRED WHEN. — 1. An anatomical gift may be made to the following persons named in the document of gift:

(1) A hospital, accredited medical school, dental school, college, university, or ~~[organ]~~ procurement organization, ~~[cadaver procurement organization,]~~ or other appropriate person for **appropriate scientific or medical** research or education;

(2) Subject to subsection 2 of this section, an individual designated by the person making the anatomical gift if the individual is the recipient of the part; or

(3) An eye bank or tissue bank.

2. If an anatomical gift to an individual under subdivision (2) of subsection 1 of this section cannot be transplanted into the individual, the part passes in accordance with subsection 7 of this section in the absence of an express, contrary indication by the person making the anatomical gift.

3. If an anatomical gift of one or more specific parts or of all parts is made in a document of gift that does not name a person described in subsection 1 of this section but identifies the purpose for which an anatomical gift may be used, the following rules apply:

(1) If the part is an eye and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate eye bank;

(2) If the part is tissue and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate tissue bank;

(3) If the part is an organ and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate organ procurement organization as custodian of the organ;

(4) If the part is an organ, an eye, or tissue and the gift is for the purpose of research or education, the gift passes to the appropriate procurement organization.

4. For the purpose of subsection 3 of this section, if there is more than one purpose of an anatomical gift set forth in the document of gift but the purposes are not set forth in any priority, the gift must be used for transplantation or therapy if suitable. If the gift cannot be used for transplantation or therapy, the gift may be used for research or education.

5. If an anatomical gift of one or more specific parts is made in a document of gift that does not name a person described in subsection 1 of this section and does not identify the purpose of the gift, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection 7 of this section.

6. If a document of gift specifies only a general intent to make an anatomical gift by words such as "donor", "organ donor", or "body donor", or by a symbol or statement of similar import, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection 7 of this section.

7. For purposes of subsections 2, 5, and 6 of this section, the following rules apply:

(1) If the part is an eye, the gift passes to the appropriate eye bank;

(2) If the part is tissue, the gift passes to the appropriate tissue bank;

(3) If the part is an organ, the gift passes to the appropriate organ procurement organization as custodian of the organ;

(4) If the gift is medically unsuitable for transplantation or therapy, the gift may be used for **appropriate scientific or medical** research or education and pass to the appropriate procurement organization ~~or cadaver procurement organization~~.

8. An anatomical gift of an organ for transplantation or therapy, other than an anatomical gift under subdivision (2) of subsection 1 of this section, passes to the organ procurement organization as custodian of the organ.

9. If an anatomical gift does not pass under subsections 1 through 8 of this section or the decedent's body or part is not used for transplantation, therapy, research, or education, custody of the body or part passes to the person under obligation to dispose of the body or part.

10. A person may not accept an anatomical gift if the person knows that the gift was not effectively made under section 194.225 or 194.250 or if the person knows that the decedent made a refusal under section 194.235 that was not revoked. For purposes of this subsection, if a person knows that an anatomical gift was made on a document of gift, the person is deemed to know of any amendment or revocation of the gift or any refusal to make an anatomical gift on the same document of gift.

11. A person may not accept an anatomical gift if the person knows that the gift is from the body of an executed prisoner from another country.

12. Except as otherwise provided in subdivision (2) of subsection 1 of this section, nothing in this act affects the allocation of organs for transplantation or therapy.

194.265. REFERRAL TO PROCUREMENT ORGANIZATION, DILIGENT SEARCH OF DONOR REGISTRY REQUIRED — REASONABLE EXAMINATION OF BODY PARTS PERMITTED, WHEN —

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SEARCH FOR MINOR'S PARENTS REQUIRED, WHEN — ATTENDING PHYSICIAN SHALL NOT PROCURE, WHEN. — 1. When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of any donor registry and other applicable records that it knows exist for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

2. A procurement organization must be allowed reasonable access to information in the records of the department of health and senior services and department of revenue to ascertain whether an individual at or near death is a donor.

3. When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor, **potential donor**, or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows a contrary intent had or has been expressed by the individual or an agent of the individual, or if the individual is incapacitated and he or she has no agent, knows a contrary intent has been expressed by any person listed in section 194.245 having priority to make an anatomical gift on behalf of the individual.

4. Unless prohibited by law other than sections 194.210 to 194.294, at any time after a donor's death, the person to which a part passes under section 194.255 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

5. Unless prohibited by law other than sections 194.210 to 194.294, an examination under subsection 3 or 4 of this section may include an examination of all medical records of the donor, **potential donor**, or prospective donor.

6. Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke a refusal.

7. Upon referral by a hospital under subsection 1 of this section, a procurement organization shall make a reasonable search for any person listed in section 194.245 having priority to make an anatomical gift on behalf of a **donor, potential donor, or** prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

8. Subject to subsection 9 of section 194.255 and section 58.785, the rights of the person to which a part passes under section 194.255 are superior to rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and this act, a person that accepts an anatomical gift of an entire body may allow embalming or cremation and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under section 194.255, upon the death of the donor and before embalming, burial, or cremation, shall cause the part to be removed without unnecessary mutilation.

9. Neither the physician who attends the decedent immediately prior to or at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.

10. No physician who removes or transplants a part from the decedent, or a procurement organization, shall have primary responsibility for the health care treatment, or health care decision-making for such individual's terminal condition during the hospitalization for which the individual becomes a donor.

11. A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

194.285. IMMUNITY FROM LIABILITY, WHEN. — 1. A person that acts in accordance with sections 194.210 to 194.294 or with the applicable anatomical gift law of another state that is not inconsistent with the provisions of sections 194.210 to 194.294 or attempts without negligence and in good faith to do so is not liable for the act in any civil action, criminal, or administrative proceeding.

2. Neither the person making an anatomical gift nor the donor's estate is liable for any injury or damage that results from the making or use of the gift.

3. In determining whether an anatomical gift has been made, amended, or revoked under sections 194.210 to 194.294, a person may rely upon representations of individuals listed in subdivision (2), (3), (4), (5), (6), (7), or (8) of subsection 1 of section 194.245 relating to the individual's relationship to the donor, **potential donor**, or prospective donor unless the person knows that representation is untrue.

194.290. DECLARATIONS AND ADVANCE HEALTH CARE DIRECTIVES — DEFINITIONS — GIFT IN CONFLICT WITH, DONOR OR PHYSICIAN TO RESOLVE. — 1. As used in this section, the following terms mean:

(1) "Advance health-care directive", a power of attorney for health care or a record signed or authorized by a **donor, potential donor, or** prospective donor, containing the ~~prospective~~ donor's direction concerning a health-care decision for the ~~prospective~~ donor;

(2) "Declaration", a record, including but not limited to a living will, or a do-not-resuscitate order, signed by a **donor, potential donor, or** prospective donor specifying the circumstances under which a life support system may be withheld or withdrawn;

(3) "Health-care decision", any decision regarding the health care of the **donor, potential donor, or** prospective donor.

2. If a **donor, potential donor, or** prospective donor has a declaration or advance health-care directive and the terms of the declaration or directive and the express or implied terms of a potential anatomical gift are in conflict with regard to the administration of measures necessary to ensure the medical suitability of a part for transplantation or therapy, the ~~prospective~~ donor's attending physician and ~~prospective~~ donor shall confer to resolve the conflict. If the **donor, potential donor, or** prospective donor is incapable of resolving the conflict, an agent acting under the ~~prospective~~ donor's declaration or directive or, if none or the agent is not reasonably available, another person authorized by law to make health-care decisions on behalf of the ~~prospective~~ donor shall act for the donor to resolve the conflict. The conflict must be resolved as expeditiously as possible. Information relevant to the resolution of the conflict may be obtained from the appropriate procurement organization and any other person authorized to make an anatomical gift for the prospective donor under section 194.245. Before the resolution of the conflict, measures necessary to ensure the medical suitability of an organ for transplantation or therapy may not be withheld or withdrawn from the **donor, potential donor, or** prospective donor if withholding or withdrawing the measures is not contraindicated by appropriate end-of-life care.

194.297. ORGAN DONOR PROGRAM FUND ESTABLISHED — FUNDING, ADMINISTRATION, PURPOSE — TRANSFER TO GENERAL REVENUE PROHIBITED. — 1. There is established in the state treasury the "Organ Donor Program Fund" ~~], which shall consist of all moneys deposited by the director of revenue pursuant to subsection 2 of section 302.171 and any other moneys donated or appropriated to the fund].~~ The state treasurer shall credit to and deposit in the organ donor program fund all amounts received under sections 301.020, 301.3125, and subsection 2 of section 302.171, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given. Funds shall be used for implementing efforts that support or provide organ, eye, and tissue donation education awareness, recognition, training, and registry efforts unless designated for a specific purpose as outlined in subsection 4 of this section. Funds

may be used to support expenses incurred by organ donation advisory committee members pursuant to section 194.300.

2. The department of health and senior services may pursue funding to support programmatic efforts and initiatives as outlined in subsection 1 of this section.

3. The state treasurer shall invest any funds in excess of five hundred thousand dollars in the organ donor program fund not required for immediate disbursement or program allocation in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investment of money in the organ donor program fund shall be credited to the organ donor program fund.

4. The organ donor program fund can accept gifts, grants, appropriations, or contributions from any source, public or private, including contributions from sections 301.020, 301.3125, and 302.171, and individuals, private organizations and foundations, and bequests. Private contributions, grants, and federal funds may be used and expended by the department for such purposes as may be specified in any requirements, terms, or conditions attached thereto or, in the absence of any specific requirements, terms, or conditions, as the department may determine for purposes outlined in subsection 1 of this section.

5. The acceptance and use of federal funds shall not commit any state funds, nor place any obligation upon the general assembly to continue the programs or activities outlined in the federal fund award for which the federal funds are available.

6. The state treasurer shall administer the fund, and the moneys in the fund shall be used solely, upon appropriation, by the department ~~[of health and senior services, in consultation]~~. **The department may consult** with the organ donation advisory committee~~[- for implementation of organ donation awareness programs in the manner prescribed in subsection 2 of section 194.300]~~ **about the implementation of programming and related expenditures.**

7. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the organ donor program fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. There shall be no money appropriated from general revenue to administer the fund in the event the fund cannot sustain itself.

194.299. MONEY IN ORGAN DONOR PROGRAM FUND, HOW EXPENDED. — The moneys in the organ donor program fund shall be expended as follows:

(1) ~~[Grants by]~~ The department of health and senior services ~~[to]~~ **may enter into contracts with** certified organ procurement organizations, **other organizations, individuals, and institutions** for **services furthering** the development and implementation of organ donation awareness programs in this state;

(2) **Education and awareness initiatives, donor family recognition efforts, training, strategic planning efforts, and registry initiatives;**

(3) Publication of informational pamphlets or booklets by the department of health and senior services and the advisory committee regarding organ donations and donations to the organ donor program fund when obtaining or renewing a license to operate a motor vehicle pursuant to subsection 2 of section 302.171;

~~[(3)]~~ (4) Maintenance of a central registry of **potential organ, eye, and tissue** donors pursuant to subsection 1 of section 194.304; ~~and~~

~~(4)]~~ (5) Implementation of organ donation awareness programs in the secondary schools of this state by the department of elementary and secondary education; **and**

(6) **Reimbursements for reasonable and necessary expenses incurred by advisory committee members pursuant to subsection 2 of section 194.300.**

194.304. TRANSFER OF DONOR REGISTRY INFORMATION, DEPARTMENT OF REVENUE TO COOPERATE — REGISTRY REQUIREMENTS. — 1. The department of revenue shall cooperate with any donor registry that this state establishes, contracts for, or recognizes for the purpose of transferring to the donor registry all relevant information regarding a donor's making, amendment to, or revocation of an anatomical gift.

2. A first person consent organ and tissue donor registry shall:

(1) Allow a donor, **potential donor, prospective donor**, or other person authorized under section 194.220 to include on the donor registry a statement or symbol that the donor has made, amended, or revoked an anatomical gift;

(2) Be accessible to a procurement organization to allow it to obtain relevant information on the donor registry to determine, at or near death of the donor, **potential donor**, or ~~a~~ prospective donor, whether the donor ~~or prospective donor~~ has made, amended, or revoked an anatomical gift; and

(3) Be accessible for purposes of subdivisions (1) and (2) of this subsection seven days a week on a twenty-four-hour basis.

3. Personally identifiable information on ~~a first person consent organ and tissue~~ the donor registry about a donor, **potential donor**, or prospective donor may not be used or disclosed without the express consent of the donor ~~or prospective donor~~, or the person ~~that~~ **who** made the anatomical gift for any purpose other than to determine, at or near death of the donor ~~or a prospective donor~~, whether the donor ~~or prospective donor~~ has made, amended, or revoked an anatomical gift.

194.321. RECIPIENTS AND DONORS, COVID-19 VACCINATION STATUS NOT TO BE CONSIDERED, WHEN, EXCEPTION. — 1. For purposes of this section, the following terms mean:

(1) "COVID-19 vaccination status", an indication of whether a person has received a vaccination against COVID-19;

(2) "Hospital", the same meaning given to the term in section 197.020;

(3) "Procurement organization", the same meaning given to the term in section 194.210.

2. Except if the organ being transplanted is a lung, no hospital, physician, procurement organization, or other person shall consider the COVID-19 vaccination status of a potential organ transplant recipient or potential organ donor in any part of the organ transplant process including, but not limited to:

(1) The referral of a patient to be considered for a transplant;

(2) The evaluation of a patient for a transplant;

(3) The consideration of a patient for placement on a waiting list;

(4) A patient's particular position on a waiting list; and

(5) The evaluation of a potential donor to determine his or her suitability as an organ donor.

195.206. OPIOID ANTAGONIST, SALE AND DISPENSING OF BY PHARMACISTS, POSSESSION OF — ADMINISTRATION OF, CONTACTING EMERGENCY PERSONNEL — IMMUNITY FROM LIABILITY, WHEN. — 1. As used in this section, the following terms shall mean:

(1) "Addiction mitigation medication", **naltrexone hydrochloride that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;**

(2) "Opioid antagonist", naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

~~(2)~~ (3) "Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition

that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary:

(1) The director of the department of health and senior services, if a licensed physician, may issue a statewide standing order for an opioid antagonist **or an addiction mitigation medication**;

(2) In the alternative, the department may employ or contract with a licensed physician who may issue a statewide standing order for an opioid antagonist **or an addiction mitigation medication** with the express written consent of the department director.

3. Notwithstanding any other law or regulation to the contrary, any licensed pharmacist in Missouri may sell and dispense an opioid antagonist **or an addiction mitigation medication** under physician protocol or under a statewide standing order issued under subsection 2 of this section.

4. A licensed pharmacist who, acting in good faith and with reasonable care, sells or dispenses an opioid antagonist **or an addiction mitigation medication** and an appropriate device to administer the drug, and the protocol physician, shall not be subject to any criminal or civil liability or any professional disciplinary action for prescribing or dispensing the opioid antagonist **or an addiction mitigation medication** or any outcome resulting from the administration of the opioid antagonist **or an addiction mitigation medication**. A physician issuing a statewide standing order under subsection 2 of this section shall not be subject to any criminal or civil liability or any professional disciplinary action for issuing the standing order or for any outcome related to the order or the administration of the opioid antagonist **or an addiction mitigation medication**.

5. Notwithstanding any other law or regulation to the contrary, it shall be permissible for any person to possess an opioid antagonist **or an addiction mitigation medication**.

6. Any person who administers an opioid antagonist to another person shall, immediately after administering the drug, contact emergency personnel. Any person who, acting in good faith and with reasonable care, administers an opioid antagonist to another person whom the person believes to be suffering an opioid-related overdose shall be immune from criminal prosecution, disciplinary actions from his or her professional licensing board, and civil liability due to the administration of the opioid antagonist.

195.815. FINGERPRINTING REQUIREMENTS, MEDICAL MARIJUANA FACILITIES — DEFINITIONS. — 1. The department of health and senior services shall require all ~~[officers, managers, contractors, employees, and other support staff of licensed or certified]~~ **employees, contractors, owners, and volunteers** of medical marijuana facilities ~~[- and all owners of such medical marijuana facilities who will have access to the facilities or to the facilities' medical marijuana.]~~ to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check.

2. The department may require that such fingerprint submissions be made as part of a medical marijuana facility application ~~[for licensure or certification]~~, a medical marijuana facility **renewal** application ~~[for renewal of licensure or certification]~~, and an individual's application for **licensure and issuance** of an identification card authorizing that individual to be an **employee, contractor**, owner, ~~[officer, manager, contractor, employee, or other support staff]~~ **or volunteer** of a medical marijuana facility.

3. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the department of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the department.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

4. As used in this section, the following words shall mean:

(1) **"Contractor", a person performing work or service of any kind for a medical marijuana facility in accordance with a contract with that facility;**

(2) "Employee", ~~[any]~~ a person performing work or service of any kind or character for hire in a medical marijuana facility;

~~[(2)]~~ (3) "Medical marijuana facility", an entity licensed or certified by the department of health and senior services ~~[or its successor agency,]~~ to acquire, cultivate, process, manufacture, test, store, sell, transport, or deliver medical marijuana;

~~(3) "Other support staff", any person performing work or service of any kind or character, other than employees, on behalf of a medical marijuana facility if such a person would have access to the medical marijuana facility or its medical marijuana or related equipment or supplies].~~

197.100. INSPECTIONS BY DEPARTMENT OF HEALTH AND SENIOR SERVICES REQUIRED, REPORTS FROM CERTAIN OTHER AGENCIES ACCEPTED, WHEN — DEPARTMENT TO DETERMINE LIFE, SAFETY, AND BUILDING CODES. — 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall ~~[annually]~~ inspect each licensed hospital **in accordance with Title XVIII of the Social Security Act** and shall make any other inspections and investigations as it deems necessary for good cause shown. The department of health and senior services shall accept reports of hospital inspections from or on behalf of governmental agencies, the joint commission, and the American Osteopathic Association Healthcare Facilities Accreditation Program, provided the accreditation inspection was conducted within one year of the date of license renewal. Prior to granting acceptance of any other accrediting organization reports in lieu of the required licensure survey, the accrediting organization's survey process must be deemed appropriate and found to be comparable to the department's licensure survey. It shall be the accrediting organization's responsibility to provide the department any and all information necessary to determine if the accrediting organization's survey process is comparable and fully meets the intent of the licensure regulations. The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety-related matters so long as any new standards shall apply only to new construction.

197.256. RENEWAL, WHEN REQUIRED, FORM, FEE — SURVEY, APPROVAL, RENEWAL OF CERTIFICATE — CERTIFICATE NOT RENEWED IS VOID — STATISTICAL REPORTS REQUIRED.

— 1. A hospice shall apply for renewal of its certificate not less than once every twelve months. In addition, such hospice shall apply for renewal not less than thirty days before any change in ownership or management of the hospice. Such application shall be accompanied by the appropriate fee as set forth in subsection 1 of section 197.254. Application shall be made upon a form prescribed by the department.

2. Upon receipt of the application and fee, if a fee is required, the department ~~[shall]~~ **may** conduct a survey to evaluate the quality of services rendered by an applicant for renewal. The department shall

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Matter in bold-face type is proposed language.

inspect each licensed facility in accordance with Title XVIII of the Social Security Act and approve the application and renew the certificate of any applicant which is in compliance with sections 197.250 to 197.280 and the rules made pursuant thereto and which passes the department's survey.

3. The certificate of any hospice which has not been renewed as required by this section shall be void.

4. The department shall require all certificated hospices to submit statistical reports. The content, format, and frequency of such reports shall be prescribed by the department.

197.258. DEPARTMENT AUTHORIZED TO MAKE SURVEYS, WHEN REQUIRED — VISITING OF HOMES — SURVEY OF OTHER GOVERNMENTAL AGENCY, REQUIREMENTS — RECIPROCAL AGREEMENTS WITH BORDERING STATES — MAINTENANCE OF BRANCH OFFICE IN MISSOURI REQUIRED, WHEN. — 1. In addition to any survey pursuant to sections 197.250 to 197.280, the department may make such surveys as it deems necessary during normal business hours. The department shall survey every hospice ~~[not less than once annually]~~ **in accordance with Title XVIII of the Social Security Act**. The hospice shall permit the department's representatives to enter upon any of its business premises during normal business hours for the purpose of a survey.

2. As a part of its survey of a hospice, the department may visit the home of any client of such hospice with such client's consent.

3. In lieu of any survey required by sections 197.250 to 197.280, the department may accept in whole or in part the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) Is conducted ~~[within one year of initial application]~~ **in accordance with Title XVIII of the Social Security Act for initial application** or renewal of the hospice's certificate.

4. The department shall not be required to survey any hospice providing service to Missouri residents through an office located in a state bordering Missouri if such bordering state has a reciprocal agreement with Missouri on hospice certification and the area served in Missouri by the agency is contiguous to the area served in the bordering state.

5. Any hospice which has its parent office in a state which does not have a reciprocal agreement with Missouri on hospice certification shall maintain a branch office in Missouri. Such branch office shall maintain all records required by the department for survey and shall be certificated as a hospice.

197.400. DEFINITIONS. — As used in sections 197.400 to 197.475, unless the context otherwise requires, the following terms mean:

(1) "Council", the home health services advisory council created by sections 197.400 to 197.475;

(2) "Department", the department of health and senior services;

(3) "Home health agency", a public agency or private organization or a subdivision or subunit of an agency or organization that provides two or more home health services at the residence of a patient according to a ~~[physician's]~~ written ~~[and signed]~~ plan of treatment **signed by a physician, nurse practitioner, clinical nurse specialist, or physician assistant**;

(4) "Home health services", any of the following items and services provided at the residence of the patient on a part-time or intermittent basis: nursing, physical therapy, speech therapy, occupational therapy, home health aid, or medical social service;

(5) "Nurse practitioner, clinical nurse specialist", a person recognized by the state board of nursing pursuant to the provisions of chapter 335 to practice in this state as a nurse practitioner or clinical nurse specialist;

(6) "Part-time or intermittent basis", the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;

~~[(6)]~~ (7) "Patient's residence", the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;

~~[(7)]~~ (8) "Physician", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician and surgeon;

(9) **"Physician assistant", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician assistant;**

~~[(8)]~~ (10) "Plan of treatment", a plan reviewed and signed as often as ~~[medically]~~ necessary by a physician ~~[or]~~, podiatrist, **nurse practitioner, clinical nurse specialist, or a physician assistant**, not to exceed sixty days in duration, **and reviewed by a physician at least once every six months**, prescribing items and services for an individual patient's condition;

~~[(9)]~~ (11) "Podiatrist", a person licensed by the state board of podiatry pursuant to the provisions of chapter 330 to practice in this state as a podiatrist;

~~[(10)]~~ (12) "Subunit" or "subdivision", any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of sections 197.400 to 197.475 independent of the larger organization, which can be held accountable for the care of patients it is serving, and which provides to all patients care and services meeting the standards and requirements of sections 197.400 to 197.475.

197.415. LICENSE ISSUED OR RENEWED, REQUIREMENTS. — 1. The department shall review the applications and shall issue a license to applicants who have complied with the requirements of sections 197.400 to 197.475 and have received approval of the department.

2. A license shall be renewed annually upon approval of the department when the following conditions have been met:

(1) The application for renewal is accompanied by a six-hundred-dollar license fee;

(2) The home health agency is in compliance with the requirements established pursuant to the provisions of sections 197.400 to 197.475 as evidenced by ~~[a survey]~~ **an** inspection by the department which shall occur ~~[at least every thirty six months for agencies that have been in operation thirty six consecutive months from initial inspection. The frequency of inspections for agencies in operation at least thirty six consecutive months from the initial inspection shall be determined by such factors as number of complaints received and changes in management, supervision or ownership. The frequency of each survey inspection for any agency in operation less than thirty six consecutive months from the initial inspection shall occur and be conducted at least every twelve months]~~ **in accordance with Title XVIII of the Social Security Act;**

(3) The application is accompanied by a statement of any changes in the information previously filed with the department pursuant to section 197.410.

3. Each license shall be issued only for the home health agency listed in the application. Licenses shall be posted in a conspicuous place in the main offices of the licensed home health agency.

4. In lieu of any survey required by sections 197.400 to 197.475, the department may accept in whole or in part written reports of the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) Is conducted ~~[within one year of initial application or within thirty six months for the renewal of the home health license]~~ **in accordance with Title XVIII of the Social Security Act** as required by subdivision (2) of subsection 2 of this section.

197.445. RULES AND REGULATIONS, PROCEDURE. — 1. The department may adopt reasonable rules and standards necessary to carry out the provisions of sections 197.400 to 197.477. The rules and standards adopted shall not be less than the standards established by the federal government for home

health agencies under Title XVIII of the Federal Social Security Act. The reasonable rules and standards shall be initially promulgated within one year of September 28, 1983.

2. The rules and standards adopted by the department pursuant to the provisions of sections 197.400 to 197.477 shall apply to all health services covered by sections 197.400 to 197.477 rendered to any patient being served by a home health agency regardless of source of payment for the service, patient's condition, or place of residence, at which the home health services are ordered by the physician ~~[or]~~, podiatrist, **nurse practitioner, clinical nurse specialist, or physician assistant**. No rule or portion of a rule promulgated pursuant to the authority of sections 197.400 to 197.477 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

198.006. DEFINITIONS. — As used in sections 198.003 to 198.186, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Abuse", the infliction of physical, sexual, or emotional injury or harm;
- (2) "Activities of daily living" or "ADL", one or more of the following activities of daily living:
 - (a) Eating;
 - (b) Dressing;
 - (c) Bathing;
 - (d) Toileting;
 - (e) Transferring; and
 - (f) Walking;
- (3) "Administrator", the person who is in general administrative charge of a facility;
- (4) "Affiliate":
 - (a) With respect to a partnership, each partner thereof;
 - (b) With respect to a limited partnership, the general partner and each limited partner with an interest of five percent or more in the limited partnership;
 - (c) With respect to a corporation, each person who owns, holds or has the power to vote five percent or more of any class of securities issued by the corporation, and each officer and director;
 - (d) With respect to a natural person, any parent, child, sibling, or spouse of that person;
- (5) "Appropriately trained and qualified individual", an individual who is licensed or registered with the state of Missouri in a health care-related field or an individual with a degree in a health care-related field or an individual with a degree in a health care, social services, or human services field or an individual licensed under chapter 344 and who has received facility orientation training under 19 CSR ~~[30-86042(18)]~~ **30-86.047**, and dementia training under section 192.2000 and twenty-four hours of additional training, approved by the department, consisting of definition and assessment of activities of daily living, assessment of cognitive ability, service planning, and interview skills;
- (6) "Assisted living facility", any premises, other than a residential care facility, intermediate care facility, or skilled nursing facility, that is utilized by its owner, operator, or manager to provide twenty-four-hour care and services and protective oversight to three or more residents who are provided with shelter, board, and who may need and are provided with the following:
 - (a) Assistance with any activities of daily living and any instrumental activities of daily living;
 - (b) Storage, distribution, or administration of medications; and
 - (c) Supervision of health care under the direction of a licensed physician, provided that such services are consistent with a social model of care;

Such term shall not include a facility where all of the residents are related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility;

- (7) "Community-based assessment", documented basic information and analysis provided by appropriately trained and qualified individuals describing an individual's abilities and needs in activities of daily living, instrumental activities of daily living, vision/hearing, nutrition, social participation and

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support, and cognitive functioning using an assessment tool approved by the department of health and senior services that is designed for community-based services and that is not the nursing home minimum data set;

(8) "Dementia", a general term for the loss of thinking, remembering, and reasoning so severe that it interferes with an individual's daily functioning, and may cause symptoms that include changes in personality, mood, and behavior;

(9) "Department", the Missouri department of health and senior services;

(10) "Emergency", a situation, physical condition or one or more practices, methods or operations which presents imminent danger of death or serious physical or mental harm to residents of a facility;

(11) "Facility", any residential care facility, assisted living facility, intermediate care facility, or skilled nursing facility;

(12) "Health care provider", any person providing health care services or goods to residents and who receives funds in payment for such goods or services under Medicaid;

(13) "Instrumental activities of daily living", or "IADL", one or more of the following activities:

- (a) Preparing meals;
- (b) Shopping for personal items;
- (c) Medication management;
- (d) Managing money;
- (e) Using the telephone;
- (f) Housework; and
- (g) Transportation ability;

(14) "Intermediate care facility", any premises, other than a residential care facility, assisted living facility, or skilled nursing facility, which is utilized by its owner, operator, or manager to provide twenty-four-hour accommodation, board, personal care, and basic health and nursing care services under the daily supervision of a licensed nurse and under the direction of a licensed physician to three or more residents dependent for care and supervision and who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility;

(15) "Manager", any person other than the administrator of a facility who contracts or otherwise agrees with an owner or operator to supervise the general operation of a facility, providing such services as hiring and training personnel, purchasing supplies, keeping financial records, and making reports;

(16) "Medicaid", medical assistance under section 208.151, et seq., in compliance with Title XIX, Public Law 89-97, 1965 amendments to the Social Security Act (42 U.S.C. 301, et seq.), as amended;

(17) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a resident in a facility, the services which are reasonable and necessary to maintain the physical and mental health of the resident, when such failure presents either an imminent danger to the health, safety or welfare of the resident or a substantial probability that death or serious physical harm would result;

(18) "Operator", any person licensed or required to be licensed under the provisions of sections 198.003 to 198.096 in order to establish, conduct or maintain a facility;

(19) "Owner", any person who owns an interest of five percent or more in:

- (a) The land on which any facility is located;
- (b) The structure or structures in which any facility is located;
- (c) Any mortgage, contract for deed, or other obligation secured in whole or in part by the land or structure in or on which a facility is located; or
- (d) Any lease or sublease of the land or structure in or on which a facility is located.

Owner does not include a holder of a debenture or bond purchased at public issue nor does it include any regulated lender unless the entity or person directly or through a subsidiary operates a facility;

(20) "Protective oversight", an awareness twenty-four hours a day of the location of a resident, the ability to intervene on behalf of the resident, the supervision of nutrition, medication, or actual

provisions of care, and the responsibility for the welfare of the resident, except where the resident is on voluntary leave;

(21) "Resident", a person who by reason of aging, illness, disease, or physical or mental infirmity receives or requires care and services furnished by a facility and who resides or boards in or is otherwise kept, cared for, treated or accommodated in such facility for a period exceeding twenty-four consecutive hours;

(22) "Residential care facility", any premises, other than an assisted living facility, intermediate care facility, or skilled nursing facility, which is utilized by its owner, operator or manager to provide twenty-four-hour care to three or more residents, who are not related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility and who need or are provided with shelter, board, and with protective oversight, which may include storage and distribution or administration of medications and care during short-term illness or recuperation, except that, for purposes of receiving supplemental welfare assistance payments under section 208.030, only any residential care facility licensed as a residential care facility II immediately prior to August 28, 2006, and that continues to meet such licensure requirements for a residential care facility II licensed immediately prior to August 28, 2006, shall continue to receive after August 28, 2006, the payment amount allocated immediately prior to August 28, 2006, for a residential care facility II under section 208.030;

(23) "Skilled nursing facility", any premises, other than a residential care facility, an assisted living facility, or an intermediate care facility, which is utilized by its owner, operator or manager to provide for twenty-four-hour accommodation, board and skilled nursing care and treatment services to at least three residents who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility. Skilled nursing care and treatment services are those services commonly performed by or under the supervision of a registered professional nurse for individuals requiring twenty-four-hours-a-day care by licensed nursing personnel including acts of observation, care and counsel of the aged, ill, injured or infirm, the administration of medications and treatments as prescribed by a licensed physician or dentist, and other nursing functions requiring substantial specialized judgment and skill;

(24) "Social model of care", long-term care services based on the abilities, desires, and functional needs of the individual delivered in a setting that is more home-like than institutional and promotes the dignity, individuality, privacy, independence, and autonomy of the individual. Any facility licensed as a residential care facility II prior to August 28, 2006, shall qualify as being more home-like than institutional with respect to construction and physical plant standards;

(25) "Vendor", any person selling goods or services to a health care provider;

(26) "Voluntary leave", an off-premise leave initiated by:

(a) A resident that has not been declared mentally incompetent or incapacitated by a court; or

(b) A legal guardian of a resident that has been declared mentally incompetent or incapacitated by a court.

198.022. DUTY OF DEPARTMENT ON RECEIPT OF APPLICATION — DUTY UPON DENIAL — DEPARTMENT MAY COPY RECORDS AT ITS EXPENSE — REMOVAL OF RECORDS PROHIBITED — INSPECTION, WHEN — COURT ORDER TO INSPECT — OUT-OF-STATE APPLICANTS, COMPLIANCE HISTORY MAY BE REQUESTED. — 1. Upon receipt of an application for a license to operate a facility, the department shall review the application, investigate the applicant and the statements sworn to in the application for license and conduct any necessary inspections. A license shall be issued if the following requirements are met:

(1) The statements in the application are true and correct;

(2) The facility and the operator are in substantial compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder;

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- (3) The applicant has the financial capacity to operate the facility;
 - (4) The administrator of an assisted living facility, a skilled nursing facility, or an intermediate care facility is currently licensed under the provisions of chapter 344;
 - (5) Neither the operator nor any principals in the operation of the facility have ever been convicted of a felony offense concerning the operation of a long-term health care facility or other health care facility or ever knowingly acted or knowingly failed to perform any duty which materially and adversely affected the health, safety, welfare or property of a resident, while acting in a management capacity. The operator of the facility or any principal in the operation of the facility shall not be under exclusion from participation in the Title XVIII (Medicare) or Title XIX (Medicaid) program of any state or territory;
 - (6) Neither the operator nor any principals involved in the operation of the facility have ever been convicted of a felony in any state or federal court arising out of conduct involving either management of a long-term care facility or the provision or receipt of health care;
 - (7) All fees due to the state have been paid.
2. Upon denial of any application for a license, the department shall so notify the applicant in writing, setting forth therein the reasons and grounds for denial.
3. The department may inspect any facility and any records and may make copies of records, at the facility, at the department's own expense, required to be maintained by sections 198.003 to 198.096 or by the rules and regulations promulgated thereunder at any time if a license has been issued to or an application for a license has been filed by the operator of such facility. Copies of any records requested by the department shall be prepared by the staff of such facility within two business days or as determined by the department. The department shall not remove or disassemble any medical record during any inspection of the facility, but may observe the photocopying or may make its own copies if the facility does not have the technology to make the copies. In accordance with the provisions of section 198.525, the department shall make at least ~~[two inspections]~~ **one inspection** per year, ~~[at least one of]~~ which shall be unannounced to the operator. The department may make such other inspections, announced or unannounced, as it deems necessary to carry out the provisions of sections 198.003 to 198.136.
4. Whenever the department has reasonable grounds to believe that a facility required to be licensed under sections 198.003 to 198.096 is operating without a license, and the department is not permitted access to inspect the facility, or when a licensed operator refuses to permit access to the department to inspect the facility, the department shall apply to the circuit court of the county in which the premises is located for an order authorizing entry for such inspection, and the court shall issue the order if it finds reasonable grounds for inspection or if it finds that a licensed operator has refused to permit the department access to inspect the facility.
5. Whenever the department is inspecting a facility in response to an application from an operator located outside of Missouri not previously licensed by the department, the department may request from the applicant the past five years compliance history of all facilities owned by the applicant located outside of this state.

198.026. NONCOMPLIANCE, HOW DETERMINED — PROCEDURE TO CORRECT — NOTICE — REINSPECTION — PROBATIONARY LICENSE. — 1. Whenever a duly authorized representative of the department finds upon an inspection of a facility that it is not in compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder, the operator or administrator shall be informed of the deficiencies in an exit interview conducted with the operator or administrator, or his or her designee. The department shall inform the operator or administrator, in writing, of any violation of a class I standard at the time the determination is made. A written report shall be prepared of any deficiency for which there has not been prompt remedial action, and a copy of such report and a written correction order shall be sent to the operator or administrator by ~~[certified mail or other]~~ **a**

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delivery service that provides a dated receipt of delivery ~~[at the facility address]~~ within ten working days after the inspection, stating separately each deficiency and the specific statute or regulation violated.

2. The operator or administrator shall have five working days following receipt of a written report and correction order regarding a violation of a class I standard and ten working days following receipt of the report and correction order regarding violations of class II or class III standards to request any conference and to submit a plan of correction for the department's approval which contains specific dates for achieving compliance. Within five working days after receiving a plan of correction regarding a violation of a class I standard and within ten working days after receiving a plan of correction regarding a violation of a class II or III standard, the department shall give its written approval or rejection of the plan. If there was a violation of any class I standard, immediate corrective action shall be taken by the operator or administrator and a written plan of correction shall be submitted to the department. The department shall give its written approval or rejection of the plan and if the plan is acceptable, a reinspection shall be conducted within twenty calendar days of the exit interview to determine if deficiencies have been corrected. If there was a violation of any class II standard and the plan of correction is acceptable, an unannounced reinspection shall be conducted between forty and ninety calendar days from the date of the exit conference to determine the status of all previously cited deficiencies. If there was a violation of class III standards sufficient to establish that the facility was not in substantial compliance, an unannounced reinspection shall be conducted within one hundred twenty days of the exit interview to determine the status of previously identified deficiencies.

3. If, following the reinspection, the facility is found not in substantial compliance with sections 198.003 to 198.096 and the standards established thereunder or the operator is not correcting the noncompliance in accordance with the approved plan of correction, the department shall issue a notice of noncompliance, which shall be sent by ~~[certified mail or other]~~ a delivery service that provides a dated receipt of delivery to ~~[each person disclosed to be an owner or]~~ the operator or administrator of the facility, according to the most recent information or documents on file with the department.

4. The notice of noncompliance shall inform the operator or administrator that the department may seek the imposition of any of the sanctions and remedies provided for in section 198.067, or any other action authorized by law.

5. At any time after an inspection is conducted, the operator may choose to enter into a consent agreement with the department to obtain a probationary license. The consent agreement shall include a provision that the operator will voluntarily surrender the license if substantial compliance is not reached in accordance with the terms and deadlines established under the agreement. The agreement shall specify the stages, actions and time span to achieve substantial compliance.

6. Whenever a notice of noncompliance has been issued, the operator shall post a copy of the notice of noncompliance and a copy of the most recent inspection report in a conspicuous location in the facility, and the department shall send a copy of the notice of noncompliance to the department of social services, the department of mental health, and any other concerned federal, state or local governmental agencies.

198.036. REVOCATION OF LICENSE — GROUNDS — NOTICE REQUIRED. — 1. The department may revoke a license in any case in which it finds that:

(1) The operator failed or refused to comply with class I or II standards, as established by the department pursuant to section 198.085; or failed or refused to comply with class III standards as established by the department pursuant to section 198.085, where the aggregate effect of such noncompliances presents either an imminent danger to the health, safety or welfare of any resident or a substantial probability that death or serious physical harm would result;

(2) The operator refused to allow representatives of the department to inspect the facility for compliance with standards or denied representatives of the department access to residents and employees necessary to carry out the duties set forth in this chapter and rules promulgated thereunder,

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except where employees of the facility are in the process of rendering immediate care to a resident of such facility;

(3) The operator knowingly acted or knowingly omitted any duty in a manner which would materially and adversely affect the health, safety, welfare or property of a resident;

(4) The operator demonstrated financial incapacity to operate and conduct the facility in accordance with the provisions of sections 198.003 to 198.096;

(5) The operator or any principals in the operation of the facility have ever been convicted of, or pled guilty or nolo contendere to a felony offense concerning the operation of a long-term health care facility or other health care facility, or ever knowingly acted or knowingly failed to perform any duty which materially and adversely affected the health, safety, welfare, or property of a resident while acting in a management capacity. The operator of the facility or any principal in the operation of the facility shall not be under exclusion from participation in the Title XVIII (Medicare) or Title XIX (Medicaid) program of any state or territory; or

(6) The operator or any principals involved in the operation of the facility have ever been convicted of or pled guilty or nolo contendere to a felony in any state or federal court arising out of conduct involving either management of a long-term care facility or the provision or receipt of health care.

2. Nothing in subdivision (2) of subsection 1 of this section shall be construed as allowing the department access to information not necessary to carry out the duties set forth in sections 198.006 to 198.186.

3. Upon revocation of a license, the director of the department shall so notify the operator in writing, setting forth the reason and grounds for the revocation. Notice of such revocation shall be sent ~~by certified mail, return receipt requested,~~ **by a delivery service that provides a dated receipt of delivery** to the operator ~~[at the address of the facility]~~ **and administrator**, or served personally upon the operator **and administrator**. The department shall provide the operator notice of such revocation at least ten days prior to its effective date.

198.525. INSPECTION OF CERTAIN LONG-TERM CARE FACILITIES, WHEN — RESTRICTIONS ON SURVEYORS, REQUIRED DISCLOSURES — IMMEDIATE FAMILY MEMBER DEFINED — CONFLICT OF INTEREST, WHEN. — 1. ~~[Except as otherwise provided pursuant to section 198.526.]~~ In order to comply with sections 198.012 and 198.022, the department of health and senior services shall inspect residential care facilities, assisted living facilities, intermediate care facilities, and skilled nursing facilities, including those facilities attached to acute care hospitals at least ~~[twice]~~ **once** a year.

2. The department shall not assign an individual to inspect or survey a long-term care facility licensed under this chapter, for any purpose, in which the inspector or surveyor was an employee of such facility within the preceding two years.

3. For any inspection or survey of a facility licensed under this chapter, regardless of the purpose, the department shall require every newly hired inspector or surveyor at the time of hiring or, with respect to any currently employed inspector or surveyor as of August 28, 2009, to disclose:

(1) The name of every Missouri licensed long-term care facility in which he or she has been employed; and

(2) The name of any member of his or her immediate family who has been employed or is currently employed at a Missouri licensed long-term care facility.

The disclosures under this subsection shall be disclosed to the department whenever the event giving rise to disclosure first occurs.

4. For purposes of this section, the phrase "immediate family member" shall mean husband, wife, natural or adoptive parent, child, sibling, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild.

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5. The information called for in this section shall be a public record under the provisions of subdivision (6) of section 610.010.

6. Any person may notify the department if facts exist that would lead a reasonable person to conclude that any inspector or surveyor has any personal or business affiliation that would result in a conflict of interest in conducting an inspection or survey for a facility. Upon receiving that notice, the department, when assigning an inspector or surveyor to inspect or survey a facility, for any purpose, shall take steps to verify the information and, if the department has probable cause to believe that it is correct, shall not assign the inspector or surveyor to the facility or any facility within its organization so as to avoid an appearance of prejudice or favor to the facility or bias on the part of the inspector or surveyor.

198.526. BIENNIAL INSPECTIONS — REEVALUATION OF INSPECTION PROCESS — REDUCTION IN INSPECTION SCHEDULE, WHEN — DISCLOSURE OF INSPECTION SCHEDULE LIMITED, PENALTY FOR VIOLATION. — 1. ~~[Except as provided in subsection 3 of this section,]~~ The department of health and senior services shall inspect all facilities licensed by the department at least ~~[twice]~~ **once** each year. Such inspections shall be conducted:

(1) Without the prior notification of the facility; and
(2) At times of the day, on dates and at intervals which do not permit facilities to anticipate such inspections.

2. The department shall annually reevaluate the inspection process to ensure the requirements of subsection 1 of this section are met.

3. ~~[The department may reduce the frequency of inspections to once a year if a facility is found to be in substantial compliance. The basis for such determination shall include, but not be limited to, the following:~~

~~(1) Previous inspection reports;
(2) The facility's history of compliance with rules promulgated pursuant to this chapter;
(3) The number and severity of complaints received about the facility; and
(4) In the year subsequent to a finding of no class I violations or class II violations, the facility does not have a change in ownership, operator, or, if the department finds it significant, a change in director of nursing.~~

4.] Information regarding unannounced inspections shall be disclosed to employees of the department on a need-to-know basis only. Any employee of the department who knowingly discloses the time of an unannounced inspection in violation of this section is guilty of a class A misdemeanor and shall have his or her employment immediately terminated.

198.545. DEFINITIONS — CONTRACTING WITH THIRD PARTIES — DEPARTMENT TO ESTABLISH IDR PROCESS, PROCEDURES — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Missouri Informal Dispute Resolution Act".

2. As used in this section, the following terms shall mean:

(1) "Deficiency", a facility's failure to meet a participation requirement or standard, whether state or federal, supported by evidence gathered from observation, interview, or record review;
(2) "Department", the department of health and senior services;
(3) "Facility", a long-term care facility licensed under this chapter;
(4) "IDR", informal dispute resolution as provided for in this section;
(5) "Independent third party", the federally designated Medicare Quality Improvement Organization in this state;
(6) "Plan of correction", a facility's response to deficiencies which explains how corrective action will be accomplished, how the facility will identify other residents who may be affected by the

deficiency practice, what measures will be used or systemic changes made to ensure that the deficient practice will not reoccur, and how the facility will monitor to ensure that solutions are sustained;

(7) "QIO", the federally designated Medicare Quality Improvement Organization in this state.

3. The department of health and senior services shall contract with an independent third party to conduct informal dispute resolution (IDR) for facilities licensed under this chapter. The IDR process, including conferences, shall constitute an informal administrative process and shall not be construed to be a formal evidentiary hearing. Use of IDR under this section shall not waive the facility's right to pursue further or additional legal actions.

4. The department shall establish an IDR process to determine whether a cited deficiency as evidenced by a statement of deficiencies against a facility shall be upheld. The department shall promulgate rules to incorporate by reference the provisions of 42 CFR 488.331 regarding the IDR process and to include the following minimum requirements for the IDR process:

(1) Within ten working days of the end of the survey, the department shall by ~~certified mail~~ **a delivery service that provides dated receipt of delivery** transmit to the facility a statement of deficiencies committed by the facility. Notification of the availability of an IDR and IDR process shall be included in the transmittal;

(2) Within ten ~~calendar~~ **working** days of receipt of the statement of deficiencies, the facility shall return a plan of correction to the department. Within such ten-day period, the facility may request in writing an IDR conference to refute the deficiencies cited in the statement of deficiencies;

(3) Within ten working days of receipt **of a request** for an IDR conference made by a facility, the QIO shall hold an IDR conference unless otherwise requested by the facility. The IDR conference shall provide the facility with an opportunity to provide additional information or clarification in support of the facility's contention that the deficiencies were erroneously cited. The facility may be accompanied by counsel during the IDR conference. The type of IDR held shall be at the discretion of the facility, but shall be limited to:

(a) A desk review of written information submitted by the facility; or

(b) A telephonic conference; or

(c) A face-to-face conference held at the headquarters of the QIO or at the facility at the request of the facility.

If the QIO determines the need for additional information, clarification, or discussion after conclusion of the IDR conference, the department and the facility shall be present.

5. Within ten days of the IDR conference described in subsection 4 of this section, the QIO shall make a determination, based upon the facts and findings presented, and shall transmit the decision and rationale for the outcome in writing to the facility and the department.

6. If the department disagrees with such determination, the department shall transmit the department's decision and rationale for the reversal of the QIO's decision to the facility within ten calendar days of receiving the QIO's decision.

7. If the QIO determines that the original statement of deficiencies should be changed as a result of the IDR conference, the department shall transmit a revised statement of deficiencies to the facility with the notification of the determination within ten calendar days of the decision to change the statement of deficiencies.

8. Within ten calendar days of receipt of the determination made by the QIO and the revised statement of deficiencies, the facility shall submit a plan of correction to the department.

9. The department shall not post on its website or enter into the Centers for Medicare & Medicaid Services Online Survey, Certification and Reporting System, or report to any other agency, any information about the deficiencies which are in dispute unless the dispute determination is made and the facility has responded with a revised plan of correction, if needed.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

301.020. APPLICATION FOR REGISTRATION OF MOTOR VEHICLES, CONTENTS — CERTAIN VEHICLES, SPECIAL PROVISIONS — PENALTY FOR FAILURE TO COMPLY — OPTIONAL BLINDNESS ASSISTANCE DONATION — DONATION TO ORGAN DONOR PROGRAM OR MISSOURI MEDAL OF HONOR RECIPIENTS FUND PERMITTED. — 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is ten years of age or less and has less than one hundred fifty thousand miles on the odometer, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of ten years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is ten years of age or less and has less than one hundred fifty thousand miles on the odometer, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of ten years after the receipt of such information. This subsection shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the

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front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of **an amount not less than** one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making ~~[the]~~ **a contribution not less than** one dollar ~~[donation]~~ **as** prescribed in this subsection.

9. An applicant for registration may make a donation of one dollar to the Missouri medal of honor recipients fund. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the Missouri medal of honor recipients fund as established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely for the purposes established in section 226.925, except that the department of revenue shall retain no more than one percent for its

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administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

302.171. APPLICATION FOR LICENSE — FORM — CONTENT — EDUCATIONAL MATERIALS TO BE PROVIDED TO APPLICANTS UNDER TWENTY-ONE — VOLUNTARY CONTRIBUTION TO CERTAIN PROGRAMS AND FUND — DENIAL OF DRIVING PRIVILEGE, WHEN — EXEMPTION FROM REQUIREMENT TO PROVIDE PROOF OF RESIDENCY — ONE-YEAR RENEWAL, REQUIREMENTS. — 1. The director shall verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with a lawful immigration status, and a Missouri resident before accepting the application. The director shall not issue a driver's license for a period that exceeds the duration of an applicant's lawful immigration status in the United States. The director may establish procedures to verify the Missouri residency or United States naturalization or lawful immigration status and Missouri residency of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one **or more** dollar donation to promote an organ donation program as prescribed in subsection 2 **of this section**, to promote a blindness education, screening and treatment program as prescribed in subsection 3 **of this section**, or the Missouri medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license, nondriver's license, or instruction permit issued under this chapter shall contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178. For persons mobilized and deployed with the United States Armed Forces, an application under this subsection shall be considered satisfactory by the department of revenue if it is signed by a person who holds general power of attorney executed by the person deployed, provided the applicant meets all other requirements set by the director.

2. An applicant for a license may make a donation of **an amount not less than** one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304 except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and

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may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ and tissue donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one **or more** dollar donation prescribed in this subsection and whether the applicant is interested in inclusion in the organ donor registry and shall also specifically inform the licensee of the ability to consent to organ donation by placing a donor symbol sticker authorized and issued by the department of health and senior services on the back of his or her driver's license or identification card as prescribed by subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of the license or identification card indicating the applicant's desire to be listed in the registry at the applicant's request at the time of his or her application for a driver's license or identification card, or the applicant may instead request an organ donor sticker from the department of health and senior services by application on the department of health and senior services' website. Upon receipt of an organ donor sticker sent by the department of health and senior services, the applicant shall place the sticker on the back of his or her driver's license or identification card to indicate that he or she has made an anatomical gift. The director shall notify the department of health and senior services of information obtained from applicants who indicate to the director that they are interested in registry participation, and the department of health and senior services shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4. An applicant for registration may make a donation of one dollar to the Missouri medal of honor recipients fund. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the Missouri medal of honor recipients fund as established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely for the purposes established in section 226.925, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

5. Beginning July 1, 2005, the director shall deny the driving privilege of any person who commits fraud or deception during the examination process or who makes application for an instruction permit, driver's license, or nondriver's license which contains or is substantiated with false or fraudulent information or documentation, or who knowingly conceals a material fact or otherwise commits a fraud in any such application. The period of denial shall be one year from the effective date of the denial notice sent by the director. The denial shall become effective ten days after the date the denial notice is mailed to the person. The notice shall be mailed to the person at the last known address shown on the person's driving record. The notice shall be deemed received three days after mailing unless returned by the postal authorities. No such individual shall reapply for a driver's examination, instruction permit, driver's license, or nondriver's license until the period of denial is completed. No individual who is

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denied the driving privilege under this section shall be eligible for a limited driving privilege issued under section 302.309.

6. All appeals of denials under this section shall be made as required by section 302.311.

7. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036.

8. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

9. Notwithstanding any provision of this chapter that requires an applicant to provide proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri residency.

10. Notwithstanding any provision of this chapter, for the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department of revenue, including, but not limited to, United States military identification or United States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

11. Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 9 of this section and does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of Missouri residency, United States naturalization, or lawful immigration status.

335.230. FINANCIAL ASSISTANCE, AMOUNT. — Financial assistance to any qualified applicant shall not exceed ~~[five]~~ **ten** thousand dollars for each academic year for a professional nursing program and shall not exceed ~~[two thousand five hundred]~~ **five thousand** dollars for each academic year for a practical nursing program. All financial assistance shall be made from funds credited to the professional and practical nursing student loan and nurse loan repayment fund. A qualified applicant may receive financial assistance for each academic year he remains a student in good standing at a participating school.

335.257. VERIFICATION OF QUALIFIED EMPLOYMENT. — Successful applicants for whom loan payments are made under the provisions of sections 335.245 to 335.259 shall verify to the department twice each year, ~~[in June and in December,]~~ in the manner prescribed by the department that qualified employment in this state is being maintained.

660.010. DEPARTMENT OF SOCIAL SERVICES CREATED — DIVISIONS AND AGENCIES ASSIGNED TO DEPARTMENT — DUTIES, POWERS — DIRECTOR'S APPOINTMENT. — 1. There is hereby created a "Department of Social Services" in charge of a director appointed by the governor, by and with the advice and consent of the senate. All the powers, duties and functions of the director of the department of public health and welfare, chapters 191 and 192, and others, not previously reassigned by executive reorganization plan number 2 of 1973 as submitted by the governor under chapter 26 except those assigned to the department of mental health, are transferred by type I transfer to the director of the department of social services and the office of the director, department of public health and

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welfare is abolished. The department of public health and welfare is abolished. All employees of the department of social services shall be covered by the provisions of chapter 36 except the director of the department and the director's secretary, all division directors and their secretaries, and no more than three additional positions in each division which may be designated by the division director.

2. It is the intent of the general assembly in establishing the department of social services, as provided herein, to authorize the director of the department to coordinate the state's programs devoted to those unable to provide for themselves and for the rehabilitation of victims of social disadvantage. The director shall use the resources provided to the department to provide comprehensive programs and leadership striking at the roots of dependency, disability and abuse of society's rules with the purpose of improving service and economical operations. The department is directed to take all steps possible to consolidate and coordinate the field operations of the department to maximize service to the citizens of the state.

3. All references to the division of welfare shall hereafter be construed to mean the department of social services or the appropriate division within the department.

4. The state's responsibility under public law 452 of the eighty-eighth Congress and others, pertaining to the Office of Economic Opportunity, is transferred by type I transfer to the department of social services.

5. ~~[The state's responsibility under public law 73, Older Americans Act of 1965, of the eighty ninth Congress is transferred by type I transfer to the department of social services.]~~

~~6.]~~ All the powers, duties and functions vested by law in the curators of the University of Missouri relating to crippled children's services, chapter 201, are transferred by type I transfer to the department of social services.

~~[7.]~~ 6. All the powers, duties and functions vested in the state board of training schools, chapter 219 and others, are transferred by type I transfer to the "Division of Youth Services" hereby authorized in the department of social services headed by a director appointed by the director of the department. The state board of training schools shall be reconstituted as an advisory board on youth services, appointed by the director of the department. The advisory board shall visit each facility of the division as often as possible, shall file a written report with the director of the department and the governor on conditions they observed relating to the care and rehabilitative efforts in behalf of children assigned to the facility, the security of the facility and any other matters pertinent in their judgment. Copies of these reports shall be filed with the legislative library. Members of the advisory board shall receive reimbursement for their expenses and twenty-five dollars a day for each day they engage in official business relating to their duties. The members of the board shall be provided with identification means by the director of the division permitting immediate access to all facilities enabling them to make unannounced entrance to facilities they wish to inspect.

[191.743. HIGH RISK PREGNANCIES, WOMEN TO BE INFORMED OF AVAILABLE SERVICES — CONSENT TO INFORM DEPARTMENT OF HEALTH AND SENIOR SERVICES, FORMS — CONFIDENTIALITY — PHYSICIANS NOT TO BE LIABLE. — 1. Any physician or health care provider who provides services to pregnant women shall identify all such women who are high risk pregnancies by use of protocols developed by the department of health and senior services pursuant to section 191.741. The physician or health care provider shall upon identification inform such woman of the availability of services and the option of referral to the department of health and senior services.

2. Upon consent by the woman identified as having a high risk pregnancy, the physician or health care provider shall make a report, within seventy two hours, to the department of health and senior services on forms approved by the department of health and senior services.

3. Any physician or health care provider complying with the provisions of this section, in good faith, shall have immunity from any civil liability that might otherwise result by reason of such actions.

4. Referral and associated documentation provided for in this section shall be confidential and shall not be used in any criminal prosecution.

5. The consent required by subsection 2 of this section shall be deemed a waiver of the physician-patient privilege solely for the purpose of making the report pursuant to subsection 2 of this section.]

[196.866. MANUFACTURER'S LICENSE REQUIRED, EXCEPTIONS — APPLICATION, FEES, INVESTIGATION — EXPIRES WHEN — LICENSE WITHHELD OR REVOKED, NOTICE, HEARING — JUDICIAL REVIEW. — 1. Every person, firm, association or corporation, before engaging in the business of manufacturing or freezing ice cream, mellorine, frozen dessert products or any other product defined in sections 196.851 to 196.895, shall first obtain a license from the director of the department of health and senior services of the state of Missouri. A license shall be obtained for each plant or place of business where ice cream, ice cream mix, ice milk, sherbet, frozen malt, ice milk mix, mellorine, edible fat frozen dessert or ices are manufactured or frozen. Hotels, motels, restaurants, boardinghouses, or other concerns or agents which shall manufacture or freeze ice cream, or related frozen food products defined in sections 196.851 to 196.895 for the use of their patrons, guests, or servants, shall be required to take out the license herein provided for; provided, that nothing in this section shall apply to private homes, hospitals, churches, or fraternal organizations manufacturing such products for their own use or to retailers dealing in ice cream or frozen dessert products received in the final frozen form from a licensed manufacturer.

2. Applications for such licenses, both frozen dessert and mellorine, shall be accompanied by a statutory fee as follows: For each plant producing annually not in excess of five thousand gallons, ten dollars; in excess of five thousand gallons and not in excess of fifteen thousand gallons, fifteen dollars; in excess of fifteen thousand gallons and not in excess of twenty five thousand gallons, twenty five dollars; in excess of twenty five thousand gallons and not in excess of fifty thousand gallons, fifty dollars; in excess of fifty thousand gallons and not in excess of one hundred thousand gallons, seventy-five dollars; in excess of one hundred thousand gallons and not in excess of two hundred thousand gallons, one hundred dollars; in excess of two hundred thousand gallons and not in excess of four hundred thousand gallons, one hundred twenty-five dollars; over four hundred thousand gallons, one hundred fifty dollars, and shall be made to the director of the department of health and senior services, upon such forms and shall show such information as may be demanded by the department of health and senior services, and the said director of the department of health and senior services, upon receipt of application for such license, shall cause to be investigated the equipment and the sanitary conditions of the plant or place of business for which the license is applied. If the condition of the plant or place of business is found to be satisfactory, a license shall be issued by the director of the department of health and senior services to such applicant.

3. Each license so issued shall expire one year following the date of issuance. All licenses for plants or places of business, when the manufacture of ice cream, ice cream mix, ice milk, sherbets, or ices is continued after the expiration of such licenses, shall be renewed annually.

4. The director of the department of health and senior services may withhold and refuse to issue a license for any plant or place of business that has not been conducted or is not prepared to be conducted in accordance with the requirements of sections 196.851 to 196.895 or any rules issued hereunder. The director of the department of health and senior services shall have the power to revoke any license issued under sections 196.851 to 196.895 whenever it is determined by him that any of the provisions of sections 196.851 to 196.895 have been violated. Any person, firm, association or corporation, whose license has been so revoked, shall discontinue operation of the business for which the license was issued until such time as the provisions of sections 196.851 to 196.895 have been complied with and a new license granted by the director of the department of health and senior services. Before revoking any such license, the director of the department of health and senior services shall give written notice to the licensee affected, stating that he contemplates revocation of the same and giving his reasons therefor.

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Said notice shall appoint a time and place for hearing and shall be mailed by registered mail to the licensee at least ten days before the date set for the hearing or personal service rendered. The licensee may present to the director of the department of health and senior services such evidence as may have a bearing on the case, and, after hearing of the testimony, the director of the department of health and senior services shall decide the question in such manner as to him appears just and right.

5. Any licensee who feels aggrieved at the decision of the director of the department of health and senior services may appeal from said decision within sixty days by writ of certiorari to the circuit court of the county in which such person resides or in case of a firm, association or corporation, the county in which is located its principal place of business.

6. ~~All fees collected under this section shall be deposited in the state treasury, subject to appropriation by the general assembly.]~~

[196.868. NONRESIDENT MANUFACTURER TO OBTAIN BROKER'S LICENSE, FEE. — Any person who operates a plant manufacturing or freezing ice cream, mellorine, frozen dessert products or any other product defined in sections 196.851 to 196.895, located outside of this state and sells, offers for sale or distributes the products in this state shall obtain a broker's license from the director and pay a broker's license fee, equivalent to the license fee provided in section 196.866, on all sales in this state, and shall be subject to the other provisions of sections 196.851 to 196.895.]

[251.070. DEPARTMENT TO IMPLEMENT OLDER AMERICANS ACT. — The department shall be responsible for the implementation of the Older Americans Act in Missouri. This agency shall develop a state plan describing a program for carrying out the Older Americans Act and shall be the sole agency responsible for coordinating all state programs related to the implementation of such plan.]

Approved June 30, 2022

HB 2365

Enacts provisions relating to the early learning quality assurance report program.

AN ACT to repeal section 161.217, RSMo, and to enact in lieu thereof one new section relating to the early learning quality assurance report program.

SECTION

A Enacting clause.

161.217 Early learning quality assurance report--sunset provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 161.217, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 161.217, to read as follows:

161.217. EARLY LEARNING QUALITY ASSURANCE REPORT--SUNSET PROVISION. — 1. The department of elementary and secondary education **shall**, in collaboration with the Missouri Head Start State Collaboration Office and the [departments] **department** of [health and senior services,] mental health] and social services, shall develop, as a three-year pilot program, a voluntary] **and as part of a program, provide a continuous quality improvement process for early learning programs and present families with updated consumer education about the quality of early learning programs**

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by producing an early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.

2. Participation in the early learning quality assurance report ~~[pilot program]~~ shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.

3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.

5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the ~~[new]~~ program authorized under this section shall automatically sunset ~~[three]~~ **six** years after August 28, ~~[2019]~~ **2022**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

Approved June 7, 2022

SS HB 2400

Enacts provisions relating to business entities.

AN ACT to repeal sections 130.029, 135.110, 135.155, 135.800, 135.802, 135.805, 135.810, 135.815, 135.825, 143.081, 143.119, 144.010, 144.011, 208.798, 285.730, 313.800, 313.805, 620.515, 620.800, 620.803, 620.806, 620.809, 620.1039, 620.1620, and 620.2020, RSMo, and to enact in lieu thereof twenty-nine new sections relating to business entities.

SECTION

A Enacting clause.

105.1500 Citation of law — definitions — public agencies, personal information disclosures, not required, when — exceptions — violations, remedies.

130.029 Corporations and labor organizations may make contributions or expenditures.

135.110 Tax credit for new or expanded business facility — computation — maximum years and amount allowed — no credit allowed a public utility and certain businesses — definitions.

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- 135.155 Prohibition on certain enterprises receiving certain incentives — expansion deemed new business facility — certain properties considered one facility, when.
- 135.800 Citation — definitions.
- 135.802 Information required to be submitted with tax credit applications — certain information required for specific tax credits — rulemaking authority — requirements to apply to certain recipients, when — duties of agencies.
- 135.805 Certain information to be submitted annually, who, time period — due date of reporting requirements — requirements to apply to certain recipients, when — applicant in compliance, when, written notification, when, records available for review — effective date — names of recipients to be made public.
- 135.810 Failure to report, penalties — notice required, when, taxpayer liable for penalties, when — change of address notification required — rulemaking authority.
- 135.815 Verification of applicant's tax payment status, when, effect of delinquency — employment of unauthorized aliens, effect of.
- 135.825 Tracking system for tax credits required — exception — rulemaking authority.
- 143.081 Credit for income tax paid to another state.
- 143.119 Federal health insurance deduction, state tax credit — rulemaking authority.
- 143.436 SALT parity act — definitions — affected business entity tax, certain partnerships and S corporations — nonresident members — reporting — tax credits — election to become affected business entity — rules.
- 144.010 Definitions.
- 144.011 Sale at retail not to include certain transfers.
- 208.798 Termination date.
- 285.730 Rights of client and PEO — employer agreements, contents — notice requirements — liability — PEO not engaged in sale of insurance — political subdivisions, taxes.
- 313.800 Definitions — additional games of skill, commission approval, procedures.
- 313.805 Powers of commission.
- 407.475 No additional annual filing or reporting requirements, when — inapplicability.
- 620.515 Show-Me heroes program established to assist active duty military personnel and members of the National Guard and their families — rulemaking authority.
- 620.800 Definitions.
- 620.803 Training program established, purpose, funding — oversight committee created, members, report — rulemaking authority — bankruptcy, notification required — repayment of benefits, when.
- 620.806 Missouri one start job development fund established, use of moneys — rulemaking authority.
- 620.809 Community college funds created, use of moneys — forms — establishment of projects, procedure, requirements — funding options — issuance of certificates — sunset provision.
- 620.850 Citation of law — definitions — commission established, members, bylaws — report, contents — grant program — fund, use of moneys — rules.
- 620.1039 Tax credit for qualified research expenses, exception — certification by director of economic development — transfer of credits, application, restrictions and procedure — limitations on credit — tax credits prohibited, when.
- 620.1620 Major conventions — definitions — fund created — issuance of grants, procedure — report — refunds — sunset provision.

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620.2020 Participation procedures, department duties, qualified company or qualified military project duties — maximum tax credits allowed, allocation — prohibited acts — report, contents — rulemaking authority — sunset date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 130.029, 135.110, 135.155, 135.800, 135.802, 135.805, 135.810, 135.815, 135.825, 143.081, 143.119, 144.010, 144.011, 208.798, 285.730, 313.800, 313.805, 620.515, 620.800, 620.803, 620.806, 620.809, 620.1039, 620.1620, and 620.2020, RSMo, are repealed and twenty-nine new sections enacted in lieu thereof, to be known as sections 105.1500, 130.029, 135.110, 135.155, 135.800, 135.802, 135.805, 135.810, 135.815, 135.825, 143.081, 143.119, 143.436, 144.010, 144.011, 208.798, 285.730, 313.800, 313.805, 407.475, 620.515, 620.800, 620.803, 620.806, 620.809, 620.850, 620.1039, 620.1620, and 620.2020, to read as follows:

105.1500. CITATION OF LAW — DEFINITIONS — PUBLIC AGENCIES, PERSONAL INFORMATION DISCLOSURES, NOT REQUIRED, WHEN — EXCEPTIONS — VIOLATIONS, REMEDIES. — 1. This section shall be known and may be cited as "The Personal Privacy Protection Act".

2. As used in this section, the following terms mean:

(1) "Personal information", any list, record, register, registry, roll, roster, or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any entity exempt from federal income tax under Section 501(c) of the Internal Revenue Code of 1986, as amended;

(2) "Public agency", the state and any political subdivision thereof including, but not limited to, any department, agency, office, commission, board, division, or other entity of state government; any county, city, township, village, school district, community college district; or any other local governmental unit, agency, authority, council, board, commission, state or local court, tribunal or other judicial or quasi-judicial body.

3. (1) Notwithstanding any provision of law to the contrary, but subject to the exceptions listed under subsection 4 of this section, a public agency shall not:

(a) Require any individual to provide the public agency with personal information or otherwise compel the release of personal information;

(b) Require any entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code to provide the public agency with personal information or otherwise compel the release of personal information;

(c) Release, publicize, or otherwise publicly disclose personal information in possession of a public agency; or

(d) Request or require a current or prospective contractor or grantee with the public agency to provide the public agency with a list of entities exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, to which it has provided financial or nonfinancial support.

(2) All personal information in the possession of a public agency shall be considered a closed record under chapter 610 and court operating rules.

4. The provisions of this section shall not preclude any individual or entity from being required to comply with any of the following:

(1) Submitting any report or disclosure required by this chapter or chapter 130;

(2) Responding to any lawful request or subpoena for personal information from the Missouri ethics commission as a part of an investigation, or publicly disclosing personal

information as a result of an enforcement action from the Missouri ethics commission pursuant to its authority in sections 105.955 to 105.966;

(3) Responding to any lawful warrant for personal information issued by a court of competent jurisdiction;

(4) Responding to any lawful request for discovery of personal information in litigation if:

(a) The requestor demonstrates a compelling need for the personal information by clear and convincing evidence; and

(b) The requestor obtains a protective order barring disclosure of personal information to any person not named in the litigation;

(5) Applicable court rules or admitting any personal information as relevant evidence before a court of competent jurisdiction. However, a submission of personal information to a court shall be made in a manner that it is not publicly revealed and no court shall publicly reveal personal information absent a specific finding of good cause; or

(6) Any report or disclosure required by state law to be filed with the secretary of state, provided that personal information obtained by the secretary of state is otherwise subject to the requirements of paragraph (c) of subdivision (1) of subsection 3 of this section, unless expressly required to be made public by state law.

5. (1) A person or entity alleging a violation of this section may bring a civil action for appropriate injunctive relief, damages, or both. Damages awarded under this section may include one of the following, as appropriate:

(a) A sum of moneys not less than two thousand five hundred dollars to compensate for injury or loss caused by each violation of this section; or

(b) For an intentional violation of this section, a sum of moneys not to exceed three times the sum described in paragraph (a) of this subdivision.

(2) A court, in rendering a judgment in an action brought under this section, may award all or a portion of the costs of litigation, including reasonable attorney's fees and witness fees, to the complainant in the action if the court determines that the award is appropriate.

(3) A person who knowingly violates this section is guilty of a class B misdemeanor.

130.029. CORPORATIONS AND LABOR ORGANIZATIONS MAY MAKE CONTRIBUTIONS OR EXPENDITURES. — 1. Nothing herein contained shall be construed to prohibit any corporation organized under any general or special law of this state, or any other state or by an act of the Congress of the United States or any labor organization, cooperative association or mutual association from making any contributions or expenditures, provided:

(1) That the board of directors of any corporation by resolution has authorized contributions or expenditures, or by resolution has authorized a designated officer to make such contributions or expenditures; or

(2) That the members of any labor organization, cooperative association or mutual association have authorized contributions or expenditures by a majority vote of the members present at a duly called meeting of any such labor organization, cooperative association or mutual association or by such vote has authorized a designated officer to make such contributions or expenditures.

2. No provision of this section shall be construed to authorize contributions or expenditures otherwise prohibited by, or to change any necessary percentage of vote otherwise required by, the articles of incorporation or association or bylaws of such labor organization, corporation, cooperative or mutual association.

3. Authority to make contributions or expenditures as authorized by this section shall be adopted by general or specific resolution. This resolution shall state the total amount of contributions or expenditures authorized, the purposes of such contributions or expenditures and the time period within which such authority shall exist.

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4. (1) Any limited liability company that is duly registered pursuant to chapter 347 and that has not elected to be classified as a corporation under the federal tax code may make contributions to any committee if the limited liability company has:

- (a) Been in existence for at least one year prior to such contribution; and
- (b) Electronically filed with the Missouri ethics commission indicating that the limited liability company is a legitimate business with a legitimate business interest and is not created for the sole purpose of making campaign contributions.

(2) The Missouri ethics commission shall develop a method for limited liability companies to use for purposes of paragraph (b) of subdivision (1) of this subsection. The commission shall post all information submitted pursuant to this subdivision on its website on a public page in a searchable format.

135.110. TAX CREDIT FOR NEW OR EXPANDED BUSINESS FACILITY — COMPUTATION — MAXIMUM YEARS AND AMOUNT ALLOWED — NO CREDIT ALLOWED A PUBLIC UTILITY AND CERTAIN BUSINESSES — DEFINITIONS. —

1. Any taxpayer who shall establish a new business facility shall be allowed a credit, each year for ten years, in an amount determined pursuant to subsection 2 or 3 of this section, whichever is applicable, against the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or an insurance company which shall establish a new business facility by satisfying the requirements in subdivision (9) of section 135.100 shall be allowed a credit against the tax otherwise imposed by chapter 148, and in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916, except that no taxpayer shall be entitled to multiple ten-year periods for subsequent expansions at the same facility, except as otherwise provided in this section. For the purpose of this section, the term "facility" shall mean, and be limited to, the facility or facilities which are located on the same site in which the new business facility is located, and in which the business conducted at such facility or facilities is directly related to the business conducted at the new business facility. Notwithstanding the provisions of this subsection, a taxpayer may be entitled to an additional ten-year period, **and an additional six-year period after the expiration of such additional ten-year period**, if a new business facility is expanded in the eighth, ninth or tenth year of the current ten-year period or in subsequent years following the expiration of the ten-year period, if the number of new business facility employees attributed to such expansion is at least twenty-five and the amount of new business facility investment attributed to such expansion is at least one million dollars. Credits may not be carried forward but shall be claimed for the taxable year during which commencement of commercial operations occurs at such new business facility, and for each of the nine succeeding taxable years. A letter of intent, as provided for in section 135.258, must be filed with the department of economic development no later than fifteen days prior to the commencement of commercial operations at the new business facility. The initial application for claiming tax credits must be made in the taxpayer's tax period immediately following the tax period in which commencement of commercial operations began at the new business facility. This provision shall have effect on all initial applications filed on or after August 28, 1992. No credit shall be allowed pursuant to this section unless the number of new business facility employees engaged or maintained in employment at the new business facility for the taxable year for which the credit is claimed equals or exceeds two; except that the number of new business facility employees engaged or maintained in employment by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (12) of section 135.100 which establishes an office as defined in subdivision (9) of section 135.100 shall equal or exceed twenty-five.

2. For tax periods beginning after August 28, 1991, in the case of a taxpayer operating an existing business facility, the credit allowed by subsection 1 of this section shall offset the greater of:

(1) Some portion of the income tax otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or in the case of an insurance company, the tax on the direct premiums, as defined in chapter 148, and in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916 with respect to such taxpayer's new business facility income for the taxable year for which such credit is allowed; or

(2) Up to fifty percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, seventy-five percent of the business income tax otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or in the case of an insurance company, the tax on the direct premiums, as defined in chapter 148, and in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916 if the business operates no other facilities in Missouri. In the case of an existing business facility operating more than one facility in Missouri, the credit allowed in subsection 1 of this section shall offset up to the greater of the portion prescribed in subdivision (1) of this subsection or twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the business' tax, except that no taxpayer operating more than one facility in Missouri shall be allowed to offset more than twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the taxpayer's business income tax in any tax period under the method prescribed in this subdivision. Such credit shall be an amount equal to the sum of one hundred dollars or, in the case of an economic development project located within a distressed community as defined in section 135.530, one hundred fifty dollars for each new business facility employee plus one hundred dollars or, in the case of an economic development project located within a distressed community as defined in section 135.530, one hundred fifty dollars for each one hundred thousand dollars, or major fraction thereof (which shall be deemed to be fifty-one percent or more) in new business facility investment. For the purpose of this section, tax credits earned by a taxpayer, who establishes a new business facility because it satisfies the requirements of paragraph (c) of subdivision (5) of section 135.100, shall offset the greater of the portion prescribed in subdivision (1) of this subsection or up to fifty percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, seventy-five percent of the business' tax provided the business operates no other facilities in Missouri. In the case of a business operating more than one facility in Missouri, the credit allowed in subsection 1 of this section shall offset up to the greater of the portion prescribed in subdivision (1) of this subsection or twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the business' tax, except that no taxpayer operating more than one facility in Missouri shall be allowed to offset more than twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the taxpayer's business income tax in any tax period under the method prescribed in this subdivision.

3. For tax periods beginning after August 28, 1991, in the case of a taxpayer not operating an existing business facility, the credit allowed by subsection 1 of this section shall offset the greater of:

(1) Some portion of the income tax otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or in the case of an insurance company, the tax on the direct premiums, as defined in chapter 148, and in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916 with respect to such taxpayer's new business facility income for the taxable year for which such credit is allowed; or

(2) Up to one hundred percent of the business income tax otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or in the case of an insurance

company, the tax on the direct premiums, as defined in chapter 148, and in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916 if the business has no other facilities operating in Missouri. In the case of a taxpayer not operating an existing business and operating more than one facility in Missouri, the credit allowed by subsection 1 of this section shall offset up to the greater of the portion prescribed in subdivision (1) of this subsection or twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the business' tax, except that no taxpayer operating more than one facility in Missouri shall be allowed to offset more than twenty-five percent or, in the case of an economic development project located within a distressed community as defined in section 135.530, thirty-five percent of the taxpayer's business income tax in any tax period under the method prescribed in this subdivision. Such credit shall be an amount equal to the sum of seventy-five dollars or, in the case of an economic development project located within a distressed community as defined in section 135.530, one hundred twenty-five dollars for each new business facility employee plus seventy-five dollars or, in the case of an economic development project located within a distressed community as defined in section 135.530, one hundred twenty-five dollars for each one hundred thousand dollars, or major fraction thereof (which shall be deemed to be fifty-one percent or more) in new business facility investment.

4. The number of new business facility employees during any taxable year shall be determined by dividing by twelve the sum of the number of individuals employed on the last business day of each month of such taxable year. If the new business facility is in operation for less than the entire taxable year, the number of new business facility employees shall be determined by dividing the sum of the number of individuals employed on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period. For the purpose of computing the credit allowed by this section in the case of a facility which qualifies as a new business facility because it qualifies as a separate facility pursuant to subsection 6 of this section, and, in the case of a new business facility which satisfies the requirements of paragraph (c) of subdivision (5) of section 135.100, or subdivision (11) of section 135.100, the number of new business facility employees at such facility shall be reduced by the average number of individuals employed, computed as provided in this subsection, at the facility during the taxable year immediately preceding the taxable year in which such expansion, acquisition, or replacement occurred and shall further be reduced by the number of individuals employed by the taxpayer or related taxpayer that was subsequently transferred to the new business facility from another Missouri facility and for which credits authorized in this section are not being earned, whether such credits are earned because of an expansion, acquisition, relocation or the establishment of a new facility.

5. For the purpose of computing the credit allowed by this section in the case of a facility which qualifies as a new business facility because it qualifies as a separate facility pursuant to subsection 6 of this section, and, in the case of a new business facility which satisfies the requirements of paragraph (c) of subdivision (5) of section 135.100 or subdivision (11) of section 135.100, the amount of the taxpayer's new business facility investment in such facility shall be reduced by the average amount, computed as provided in subdivision (8) of section 135.100 for new business facility investment, of the investment of the taxpayer, or related taxpayer immediately preceding such expansion or replacement or at the time of acquisition. Furthermore, the amount of the taxpayer's new business facility investment shall also be reduced by the amount of investment employed by the taxpayer or related taxpayer which was subsequently transferred to the new business facility from another Missouri facility and for which credits authorized in this section are not being earned, whether such credits are earned because of an expansion, acquisition, relocation or the establishment of a new facility.

6. If a facility, which does not constitute a new business facility, is expanded by the taxpayer, the expansion shall be considered a separate facility eligible for the credit allowed by this section if:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(1) The taxpayer's new business facility investment in the expansion during the tax period in which the credits allowed in this section are claimed exceeds one hundred thousand dollars, or, if less, one hundred percent of the investment in the original facility prior to expansion and if the number of new business facility employees engaged or maintained in employment at the expansion facility for the taxable year for which credit is claimed equals or exceeds two, except that the number of new business facility employees engaged or maintained in employment at the expansion facility for the taxable year for which the credit is claimed equals or exceeds twenty-five if an office as defined in subdivision (9) of section 135.100 is established by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (12) of section 135.100 and the total number of employees at the facility after the expansion is at least two greater than the total number of employees before the expansion, except that the total number of employees at the facility after the expansion is at least greater than the number of employees before the expansion by twenty-five, if an office as defined in subdivision (9) of section 135.100 is established by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (12) of section 135.100; and

(2) The expansion otherwise constitutes a new business facility. The taxpayer's investment in the expansion and in the original facility prior to expansion shall be determined in the manner provided in subdivision (8) of section 135.100.

7. No credit shall be allowed pursuant to this section to a public utility, as such term is defined in section 386.020. Notwithstanding any provision of this subsection to the contrary, motor carriers, barge lines or railroads engaged in transporting property for hire, or any interexchange telecommunications company or local exchange telecommunications company that establishes a new business facility shall be eligible to qualify for credits allowed in this section.

8. For the purposes of the credit described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, this credit shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership. This credit shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

9. Notwithstanding any provision of law to the contrary, any employee-owned engineering firm classified as SIC 8711, architectural firm as classified SIC 8712, or accounting firm classified SIC 8721 establishing a new business facility because it qualifies as a headquarters as defined in subsection 10 of this section, shall be allowed the credits described in subsection 11 of this section under the same terms and conditions prescribed in sections 135.100 to 135.150; provided:

(1) Such facility maintains an average of at least five hundred new business facility employees as defined in subdivision (6) of section 135.100 during the taxpayer's tax period in which such credits are being claimed; and

(2) Such facility maintains an average of at least twenty million dollars in new business facility investment as defined in subdivision (8) of section 135.100 during the taxpayer's tax period in which such credits are being claimed.

10. For the purpose of the credits allowed in subsection 9 of this section:

(1) "Employee-owned" means the business employees own directly or indirectly, including through an employee stock ownership plan or trust at least:

(a) Seventy-five percent of the total business stock, if the taxpayer is a corporation described in section 143.441; or

(b) One hundred percent of the interest in the business if the taxpayer is a corporation described in section 143.471, a partnership, or a limited liability company; and

(2) "Headquarters" means:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(a) The administrative management of at least three integrated facilities operated by the taxpayer or related taxpayer; and

(b) The taxpayer's business has been headquartered in this state for more than fifty years.

11. The tax credits allowed in subsection 9 of this section shall be the greater of:

(1) Four hundred dollars for each new business facility employee as computed in subsection 4 of this section and four percent of new business facility investment as computed in subsection 5 of this section; or

(2) Five hundred dollars for each new business facility employee as computed in subsection 4 of this section, and five hundred dollars of each one hundred thousand dollars of new business facility investment as computed in subsection 5 of this section.

12. For the purpose of the credit described in subsection 9 of this section, in the case of a small corporation described in section 143.471, or a partnership, or a limited liability company, the credits allowed in subsection 9 of this section shall be apportioned in proportion to the share of ownership of each shareholder, partner or stockholder on the last day of the taxpayer's tax period for which such credits are being claimed.

13. For the purpose of the credit described in subsection 9 of this section, tax credits earned, to the extent such credits exceed the taxpayer's Missouri tax on taxable business income, shall constitute an overpayment of taxes and in such case, be refunded to the taxpayer provided such refunds are used by the taxpayer to purchase specified facility items. For the purpose of the refund as authorized in this subsection, "specified facility items" means equipment, computers, computer software, copiers, tenant finishing, furniture and fixtures installed and in use at the new business facility during the taxpayer's taxable year. The taxpayer shall perfect such refund by attesting in writing to the director, subject to the penalties of perjury, the requirements prescribed in this subsection have been met and submitting any other information the director may require.

14. Notwithstanding any provision of law to the contrary, any taxpayer may sell, assign, exchange, convey or otherwise transfer tax credits allowed in subsection 9 of this section under the terms and conditions prescribed in subdivisions (1) and (2) of this subsection. Such taxpayer, referred to as the assignor for the purpose of this subsection, may sell, assign, exchange or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of such earned credits. The taxpayer acquiring the earned credits referred to as the assignee for the purpose of this subsection may use the acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.261, or chapter 148, or in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, against any obligation imposed pursuant to section 375.916. Unused credits in the hands of the assignee may be carried forward for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which commencement of commercial operations occurred at the new business facility. The assignor shall enter into a written agreement with the assignee establishing the terms and conditions of the agreement and shall perfect such transfer by notifying the director in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the director to administer and carry out the provisions of this subsection. Notwithstanding any other provision of law to the contrary, the amount received by the assignor of such tax credit shall be taxable as income of the assignor, and the difference between the amount paid by the assignee and the par value of the credits shall be taxable as income of the assignee.

135.155. PROHIBITION ON CERTAIN ENTERPRISES RECEIVING CERTAIN INCENTIVES — EXPANSION DEEMED NEW BUSINESS FACILITY — CERTAIN PROPERTIES CONSIDERED ONE FACILITY, WHEN. — 1. Notwithstanding any provision of the law to the contrary, no revenue-

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Matter in bold-face type is proposed language.

producing enterprise other than headquarters as defined in subsection 10 of section 135.110 shall receive the incentives set forth in sections 135.100 to 135.150 for facilities commencing operations on or after January 1, 2005. No headquarters shall receive the incentives set forth in subsections 9 to 14 of section 135.110 for facilities commencing or expanding operations on or after January 1, ~~2025~~**2031**.

2. Notwithstanding subsection 9 of section 135.110 to the contrary, expansions at headquarters facilities shall each be considered a separate new business facility and each be entitled to the credits as set forth in subsections 9 to 14 of section 135.110 if the number of new business facility employees attributed to each such expansion is at least twenty-five and the amount of new business facility investment attributed to each such expansion is at least one million dollars. In any year in which a new business facility is not created, the jobs and investment for that year shall be included in calculating the credits for the most recent new business facility and not an earlier created new business facility.

3. Notwithstanding any provision of law to the contrary, for headquarters, buildings on multiple noncontiguous real properties shall be considered one facility if the buildings are located within the same county or within the same municipality.

135.800. CITATION — DEFINITIONS. — 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited as the "Tax Credit Accountability Act of 2004".

2. As used in sections 135.800 to 135.830, the following terms mean:

(1) "Administering agency", the state agency or department charged with administering a particular tax credit program, as set forth by the program's enacting statute; where no department or agency is set forth, the department of revenue;

(2) "Agricultural tax credits", the agricultural product utilization contributor tax credit created pursuant to section 348.430, the new generation cooperative incentive tax credit created pursuant to section 348.432, the family farm breeding livestock loan tax credit created under section 348.505, the qualified beef tax credit created under section 135.679, and the wine and grape production tax credit created pursuant to section 135.700;

(3) ~~["All tax credit programs", or "any tax credit program", the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, financial and insurance tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;~~

~~(4)]~~ **(4)** "Business recruitment tax credits", the business facility tax credit created pursuant to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development programs created pursuant to sections 100.700 to 100.850, the development tax credits created pursuant to sections 32.100 to 32.125, the rebuilding communities tax credit created pursuant to section 135.535, the film production tax credit created pursuant to section 135.750, the enhanced enterprise zone created pursuant to sections 135.950 to 135.970, and the Missouri quality jobs program created pursuant to sections 620.1875 to 620.1900;

~~[(5)]~~ **(4)** "Community development tax credits", the neighborhood assistance tax credit created pursuant to sections 32.100 to 32.125, the family development account tax credit created pursuant to sections 208.750 to 208.775, the dry fire hydrant tax credit created pursuant to section 320.093, and the transportation development tax credit created pursuant to section 135.545;

~~[(6)]~~ **(5)** "Domestic and social tax credits", the youth opportunities tax credit created pursuant to section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of domestic violence created pursuant to section 135.550, the senior citizen or disabled person property tax credit created pursuant to sections 135.010 to 135.035, the adoption tax credit created pursuant to sections 135.325 to 135.339, the champion for children tax credit created pursuant to section 135.341, the maternity home tax credit created pursuant to section 135.600, the surviving spouse tax credit created pursuant to section 135.090,

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the residential treatment agency tax credit created pursuant to section 135.1150, the pregnancy resource center tax credit created pursuant to section 135.630, the food pantry tax credit created pursuant to section 135.647, ~~[the health care access fund tax credit created pursuant to section 135.575,]~~ the residential dwelling access tax credit created pursuant to section 135.562, the developmental disability care provider tax credit created under section 135.1180, the shared care tax credit created pursuant to section 192.2015, **the health, hunger, and hygiene tax credit created pursuant to section 135.1125,** and the diaper bank tax credit created pursuant to section 135.621;

~~[(7)]~~ **(6)** "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, the new enterprise creation tax credit created pursuant to sections 620.635 to 620.653, the research tax credit created pursuant to section 620.1039, the small business incubator tax credit created pursuant to section 620.495, the guarantee fee tax credit created pursuant to section 135.766, and the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125;

~~[(8)]~~ **(7)** "Environmental tax credits", the charcoal producer tax credit created pursuant to section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311, and the alternative fuel stations tax credit created pursuant to section 135.710;

~~[(9)]~~ **(8)** "Financial and insurance tax credits", the bank franchise tax credit created pursuant to section 148.030, the bank tax credit for S corporations created pursuant to section 143.471, the exam fee tax credit created pursuant to section 148.400, the health insurance pool tax credit created pursuant to section 376.975, the life and health insurance guaranty tax credit created pursuant to section 376.745, the property and casualty guaranty tax credit created pursuant to section 375.774, and the self-employed health insurance tax credit created pursuant to section 143.119;

~~[(10)]~~ **(9)** "Housing tax credits", the neighborhood preservation tax credit created pursuant to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125;

~~[(11)]~~ **(10)** "Recipient", the individual or entity who **both**:

(a) Is the original applicant for ~~[and who receives proceeds from a tax credit program directly from the administering agency, the person or entity responsible for the reporting requirements established in section 135.805]~~ **a tax credit; and**

(b) Who directly receives a tax credit or the right to transfer a tax credit under a tax credit program, regardless as to whether the tax credit has been used or redeemed; a recipient shall not include the transferee of a transferable tax credit;

~~[(12)]~~ **(11)** "Redevelopment tax credits", the historic preservation tax credit created pursuant to sections 253.545 to 253.559, the brownfield redevelopment program tax credit created pursuant to sections 447.700 to 447.718, the community development corporations tax credit created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section 100.286, the bond guarantee tax credit created pursuant to section 100.297, the disabled access tax credit created pursuant to section 135.490, the new markets tax credit created pursuant to section 135.680, and the distressed areas land assemblage tax credit created pursuant to section 99.1205;

(12) "Tax credit program", any of the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;

(13) "Training and educational tax credits", the Missouri works new jobs tax credit and Missouri works retained jobs credit created pursuant to sections 620.800 to 620.809.

**135.802. INFORMATION REQUIRED TO BE SUBMITTED WITH TAX CREDIT APPLICATIONS
— CERTAIN INFORMATION REQUIRED FOR SPECIFIC TAX CREDITS — RULEMAKING**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

AUTHORITY — REQUIREMENTS TO APPLY TO CERTAIN RECIPIENTS, WHEN — DUTIES OF AGENCIES. — 1. Beginning January 1, 2005, all applications for all tax credit programs shall include, in addition to any requirements provided by the enacting statutes of a particular credit program, the following information to be submitted to the department administering the tax credit:

(1) Name, address, and phone number of the applicant or applicants, and the name, address, and phone number of a contact person or agent for the applicant or applicants;

(2) Taxpayer type, whether individual, corporation, nonprofit or other, and taxpayer identification number, if applicable;

(3) Standard industry code, if applicable;

(4) Program name and type of tax credit, including the identity of any other state or federal program being utilized for the same activity or project; and

(5) Number of estimated jobs to be **directly** created, as a result of the tax credits, if applicable, separated by construction, part-time permanent, and full-time permanent.

2. In addition to the information required by subsection 1 of this section, an applicant for a community development tax credit shall also provide information detailing the title and location of the corresponding project, the estimated time period for completion of the project, and all geographic areas impacted by the project.

3. In addition to the information required by subsection 1 of this section, an applicant for a redevelopment tax credit shall also provide information detailing the location and legal description of the property, age of the structure, if applicable, whether the property is residential, commercial, or governmental, and the projected project cost, labor cost, and projected date of completion. Where a redevelopment tax credit applicant is required to submit contemporaneously a federal application for a similar credit on the same underlying project, the submission of a copy of the federal application shall be sufficient to meet the requirements of this subsection.

4. In addition to the information required by subsection 1 of this section, an applicant for a business recruitment tax credit shall also provide information detailing the category of business by size, the address of the business headquarters and all offices located within this state, the number of employees at the time of the application, the number of employees projected to increase as a result of the completion of the project, and the estimated project cost.

5. In addition to the information required by subsection 1 of this section, an applicant for a training and educational tax credit shall also provide information detailing the name and address of the educational institution to be used, the average salary of workers to be served, the estimated project cost, and the number of employees and number of students to be served.

6. In addition to the information required by subsection 1 of this section, an applicant for a housing tax credit also shall provide information detailing the address, legal description, and fair market value of the property, and the projected labor cost and projected completion date of the project. Where a housing tax credit applicant is required to submit contemporaneously a federal application for a similar credit on the same underlying project, the submission of a copy of the federal application shall be sufficient to meet the requirements of this subsection. For the purposes of this subsection, "fair market value" means the value as of the purchase of the property or the most recent assessment, whichever is more recent.

7. In addition to the information required by subsection 1 of this section, an applicant for an entrepreneurial tax credit shall also provide information detailing the amount of investment and the names of the project, fund, and research project.

8. In addition to the information required by subsection 1 of this section, an applicant for an agricultural tax credit shall also provide information detailing the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility.

9. In addition to the information required by subsection 1 of this section, an applicant for an environmental tax credit shall also include information detailing the type of equipment, if applicable, purchased and any environmental impact statement, if required by state or federal law.

10. An administering agency, **or the department of economic development with the consent of an administering agency**, may, by rule, require additional information to be submitted by an applicant. Any rule or portion of a rule, as that term is defined in section 536.010, that is created pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be void.

11. Where the sole requirement for receiving a tax credit in the enabling legislation of any tax credit is an obligatory assessment upon a taxpayer or a monetary contribution to a particular group or entity, the application requirements provided in this section shall apply to the recipient of such assessment or contribution and shall not apply to the assessed nor the contributor.

12. It shall be the duty of each administering agency to provide information to every applicant, at some time prior to authorization of an applicant's tax credit application, wherein the requirements of this section, the annual reporting requirements of section 135.805, and the penalty provisions of section 135.810 are described in detail. **Every applicant for a tax credit under a tax credit program, as part of the application process and as a condition of receiving such tax credit, shall sign a statement affirming that the applicant is aware of the reporting requirements of section 135.805 and the penalty provisions of section 135.810.**

135.805. CERTAIN INFORMATION TO BE SUBMITTED ANNUALLY, WHO, TIME PERIOD — DUE DATE OF REPORTING REQUIREMENTS — REQUIREMENTS TO APPLY TO CERTAIN RECIPIENTS, WHEN — APPLICANT IN COMPLIANCE, WHEN, WRITTEN NOTIFICATION, WHEN, RECORDS AVAILABLE FOR REVIEW — EFFECTIVE DATE — NAMES OF RECIPIENTS TO BE MADE PUBLIC. — 1. A recipient of any tax credit program, except domestic and social tax credits; ~~environmental tax credits;~~ or financial and insurance tax credits, shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following the issuance of the tax credits, provide to the administering agency the actual number of jobs **directly** created **that year as of June thirtieth** as a result of the tax credits, ~~at the location on the last day of the annual reporting period,~~ separated by part-time permanent and full-time permanent for each month of the preceding twelve-month period.

2. A recipient of a community development tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the title and location of the corresponding project, **the estimated and actual project cost**, the estimated ~~or~~ **and** actual time period for completion of the project, and all geographic areas impacted by the project.

3. A recipient of a redevelopment tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming whether the property is used for residential, commercial, or governmental purposes, and the projected ~~or~~ **and** actual project cost, labor cost, and date of completion.

4. A recipient of a business recruitment tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the category of business by size, the address of the business headquarters and all offices located within this state, the number of employees at the time of the annual update, an updated estimate of the number of employees projected to increase as a result of the completion of the project, and the estimated ~~or~~ **and** actual project cost.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

5. A recipient of a training and educational tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the name and address of the educational institution used, the average salary of workers served as of such annual update, the estimated ~~or~~ **and** actual project cost, and the number of employees and number of students served as of such annual update.

6. A recipient of a housing tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the address of the property, the fair market value of the property, as defined in subsection 6 of section 135.802, and the projected ~~or~~ **and** actual labor ~~cost~~ **and project costs** and completion date of the project.

7. A recipient of an entrepreneurial tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the amount of investment and the names of the project, fund, and research project.

8. A recipient of an agricultural tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility, except that if the agricultural credit is issued as a result of a producer member investing in a new generation processing entity or new generation cooperative then the new generation processing entity or new generation cooperative, and not the recipient, shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility.

9. A recipient of an environmental tax credit shall ~~annually~~ **on June thirtieth of each year**, for a period of three years following issuance of tax credits, provide to the administering agency information detailing any change to the type of equipment purchased, if applicable, and any change to any environmental impact statement, if such statement is required by state or federal law.

10. ~~[The reporting requirements established in this section shall be due annually on June thirtieth of each year.]~~ No person or entity shall be required to make an annual report until at least one ~~year~~ **month** after the credit issuance date.

11. Where the sole requirement for receiving a tax credit in the enabling legislation of any tax credit is an obligatory assessment upon a taxpayer or a monetary contribution to a particular group or entity, the reporting requirements provided in this section shall apply to the recipient of such assessment or contribution and shall not apply to the assessed nor the contributor.

12. Where the enacting statutes of a particular tax credit program or the rules of a particular administering agency require reporting of information that includes the information required in sections 135.802 to 135.810, upon reporting of the required information, the applicant shall be deemed to be in compliance with the requirements of sections 135.802 to 135.810. The administering agency shall notify in writing the department of economic development of the administering agency's status as custodian of any particular tax credit program and that all records pertaining to the program are available at the administering agency's office **or electronically** for review by the department of economic development.

13. The provisions of subsections 1 to 10 of this section shall apply beginning on June 30, 2005.

14. Notwithstanding provisions of law to the contrary, every agency of this state charged with administering a tax credit program authorized under the laws of this state shall make available for public inspection the name of each tax credit recipient and the amount of tax credits issued to each such recipient. **An administering agency may satisfy this requirement by making such information available to the public through the department of economic development's website or the Missouri accountability portal.**

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Matter in bold-face type is proposed language.

15. The department of economic development shall make all information provided under the provisions of this section available for public inspection on the department's website and the Missouri accountability portal.

16. The administering agency of any tax credit program for which reporting requirements are required under the provisions of subsection 1 of this section shall publish guidelines and may promulgate rules to implement the provisions of such subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

135.810. FAILURE TO REPORT, PENALTIES — NOTICE REQUIRED, WHEN, TAXPAYER LIABLE FOR PENALTIES, WHEN — CHANGE OF ADDRESS NOTIFICATION REQUIRED — RULEMAKING AUTHORITY. — 1. After credits have been issued, any failure to meet the annual reporting requirements established in section 135.805 or any determination of fraud in the application **or reporting** process shall result in penalties as follows:

(1) Failure to **file the first annual report due under section 135.805** for more than ~~[six]~~ **three** months ~~[but less than one year]~~ shall result in a penalty equal to ~~[two]~~ **one** percent of the value of the credits issued for each month of delinquency ~~[during such time period]~~, **provided such penalty shall not exceed a maximum of ten percent of the value of the credits issued;**

(2) Failure to ~~[report]~~ **file the second or third annual reports due under section 135.805** for more than ~~[one year]~~ **three months** shall result in a penalty equal to ~~[ten]~~ **one and one-half** percent of the value of the credits issued for each month of delinquency ~~[during such time period]~~ up to ~~[one hundred percent of the value of the credit issued is assessed by way of penalty]~~ **a maximum of twenty percent, per report, of the value of the credits issued;**

(3) Fraud in the application **or reporting** process shall result in a penalty equal to ~~[one]~~ **two** hundred percent of the credits issued. No ~~[taxpayer]~~ **recipient** shall be deemed to have committed fraud in the application **or reporting** process for any credit unless such conclusion has been reached by ~~[a court of competent jurisdiction or]~~ the administrative hearing commission. **The department of revenue, the department of economic development, or the administering agency may, by filing a complaint, submit to the administrative hearing commission the question of whether fraud in the application or reporting process for any credit has occurred. The burden of proof shall be on the governmental agency in such disputes. The issue shall be decided by the administrative hearing commission under the same procedural and evidentiary rules as ordinary contested cases before it.**

2. ~~[Ninety]~~ **Thirty** days after the annual report is past due, the administering agency shall send notice by registered **or certified** mail to the last known address of the person or entity obligated to complete the annual reporting informing such person or entity of the past-due annual report and describing in detail the pending penalties and their respective deadlines. ~~[Six]~~ **Three** months after the annual report is past due, the administering agency shall notify the department of revenue of any ~~[taxpayer]~~ **recipient** subject to penalties. The ~~[taxpayer shall be liable for any penalties as of December thirty-first of any tax year and such liability]~~ **payment of a penalty under this section** shall be due as of the filing date of the ~~[taxpayer's]~~ **recipient's** next income tax return. If the ~~[taxpayer]~~ **recipient** is not required to file an income tax return, the ~~[taxpayer's]~~ **recipient's** liability for penalties shall be due as of **the next** April fifteenth ~~[of each year]~~. The director of the department of revenue shall prepare forms and promulgate rules to allow for the reporting and satisfaction of liability for such penalties, **and, for valuable consideration, may enter into agreements to compromise or abate some or all of the**

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penalty amount. The director of the department of revenue shall offset any credits claimed on a contemporaneously filed tax return against an outstanding penalty before applying such credits to the tax year against which they were originally claimed. Any nonpayment of liability for penalties **by the date due under this subsection** shall be subject to the same provisions of law as a liability for unpaid income taxes, including ~~but not limited to, interest and penalty provisions~~ **underpayment interest provisions but excluding income tax penalty and addition to tax provisions.**

3. Penalties shall remain the liability of the person or entity obligated to complete the annual reporting, without regard to any transfer of the credits.

4. Any person or entity obligated to complete the annual reporting requirements provided in section 135.805 shall provide the proper administering agency with notice of change of address when ~~necessary~~ **a change of address occurs. The administering agency shall notify the department of revenue and the department of economic development of such change of address.**

5. An administering agency may promulgate rules in order to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

135.815. VERIFICATION OF APPLICANT'S TAX PAYMENT STATUS, WHEN, EFFECT OF DELINQUENCY — EMPLOYMENT OF UNAUTHORIZED ALIENS, EFFECT OF. — 1. Prior to authorization of any tax credit application, an administering agency shall verify through the department of revenue that the tax credit applicant does not owe any delinquent income, sales, or use taxes, or interest, **additions**, or penalties on such taxes, and through the department of commerce and insurance that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that the amount of credits issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of commerce and insurance concludes that a taxpayer is delinquent after June fifteenth but before July first of any year, and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits towards a tax delinquency, the administering agency shall notify the appropriate department, and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

2. Any applicant of a tax credit program ~~[contained in the definition of the term "all tax credit programs"]~~ who ~~[purposely and directly]~~ **knowingly** employs unauthorized aliens shall forfeit any tax credits issued to such applicant which have not been redeemed, and shall repay the amount of any tax credits redeemed by such applicant during the period of time such unauthorized alien was employed by the applicant. **Such forfeiture and repayment shall be additional to, and not in lieu of, any penalties imposed pursuant to section 135.810.** As used in this subsection, the term "unauthorized alien" shall mean an alien who does not have the legal right or authorization under federal law to work in the United States, as defined under Section 8 U.S.C. 1324a(h)(3). **The amount of tax credits required to be repaid under this subsection, but which are not repaid by the applicant, shall be subject to the same procedure and provisions of law as a liability for unpaid income tax arising on the date that the department of revenue became aware of the violation of this provision.**

135.825. TRACKING SYSTEM FOR TAX CREDITS REQUIRED — EXCEPTION — RULEMAKING AUTHORITY. — 1. The administering agencies for all tax credit programs shall, in cooperation with the department of revenue **and the department of economic development**, implement a system for tracking the amount of tax credits authorized, issued, and redeemed. Any such agency may promulgate rules for the implementation of this section.

2. The provisions of this section shall not apply to any credit that is issued and redeemed simultaneously.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

143.081. CREDIT FOR INCOME TAX PAID TO ANOTHER STATE. — 1. A resident individual, resident estate, and resident trust shall be allowed a credit against the tax otherwise due pursuant to sections 143.005 to 143.998 for the amount of any income tax imposed for the taxable year by another state of the United States (or a political subdivision thereof) or the District of Columbia on income derived from sources therein and which is also subject to tax pursuant to sections 143.005 to 143.998. For purposes of this subsection, the phrase "income tax imposed" shall be that amount of tax before any income tax credit allowed by such other state or the District of Columbia if the other state or the District of Columbia authorizes a reciprocal benefit for residents of this state.

2. The credit provided pursuant to this section shall not exceed an amount which bears the same ratio to the tax otherwise due pursuant to sections 143.005 to 143.998 as the amount of the taxpayer's Missouri adjusted gross income derived from sources in the other taxing jurisdiction bears to the taxpayer's Missouri adjusted gross income derived from all sources. In applying the limitation of the previous sentence to an estate or trust, Missouri taxable income shall be substituted for Missouri adjusted gross income. If the tax of more than one other taxing jurisdiction is imposed on the same item of income, the credit shall not exceed the limitation that would result if the taxes of all the other jurisdictions applicable to the item were deemed to be of a single jurisdiction.

3. **(1)** For the purposes of this section, in the case of an S corporation, each resident S shareholder shall be considered to have paid a tax imposed on the shareholder in an amount equal to the shareholder's pro rata share of any net income tax paid by the S corporation to a state which does not measure the income of shareholders on an S corporation by reference to the income of the S corporation or where a composite return and composite payments are made in such state on behalf of the S shareholders by the S corporation.

(2) A resident S shareholder shall be eligible for a credit issued pursuant to this section in an amount equal to the shareholder's pro rata share of any income tax imposed pursuant to chapter 143 on income derived from sources in another state of the United States, or a political subdivision thereof, or the District of Columbia, and which is subject to tax pursuant to chapter 143 but is not subject to tax in such other jurisdiction.

4. For purposes of subsection 3 of this section, in the case of an S corporation that is a bank chartered by a state, the Office of Thrift Supervision, or the comptroller of currency, each Missouri resident S shareholder of such out-of-state bank shall qualify for the shareholder's pro rata share of any net tax paid, including a bank franchise tax based on the income of the bank, by such S corporation where bank payment of taxes are made in such state on behalf of the S shareholders by the S bank to the extent of the tax paid.

143.119. FEDERAL HEALTH INSURANCE DEDUCTION, STATE TAX CREDIT — RULEMAKING AUTHORITY. — 1. A self-employed taxpayer, as such term is used in the federal internal revenue code, who is otherwise ineligible for the federal income tax health insurance deduction under Section 162 of the federal internal revenue code shall be entitled to a credit against the tax otherwise due under this chapter, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the portion of such taxpayer's federal tax liability incurred due to such taxpayer's inclusion of such payments in federal adjusted gross income. **To be eligible for a credit under this section, the self-employed taxpayer shall have a Missouri income tax liability, before any other tax credits, of less than three thousand dollars.** The tax credits authorized under this section shall be nontransferable, nonrefundable, and shall not be carried back or forward to any other tax year. ~~[To the extent tax credit issued under this section exceeds a taxpayer's state income tax liability, such excess shall be considered an overpayment of tax and shall be refunded to the taxpayer.]~~ **A self-employed taxpayer shall not claim both a tax credit under this section and a subtraction under section 143.113, for the same tax year.**

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

3. Pursuant to section 23.253 of the Missouri sunset act:

- (1) The provisions of this section shall sunset automatically on December 31, 2028, unless reauthorized by an act of the general assembly; and**
- (2) If such program is reauthorized, this section shall sunset automatically December thirty-first six years after the effective date of the reauthorization of this section; and**
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and**
- (4) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized pursuant to this section expires, or a taxpayer's ability to redeem such tax credits.**

143.436. SALT PARITY ACT — DEFINITIONS — AFFECTED BUSINESS ENTITY TAX, CERTAIN PARTNERSHIPS AND S CORPORATIONS — NONRESIDENT MEMBERS — REPORTING — TAX CREDITS — ELECTION TO BECOME AFFECTED BUSINESS ENTITY — RULES. — 1. This section shall be known and may be cited as the "SALT Parity Act".

2. For the purposes of this section, the following terms shall mean:

- (1) "Affected business entity", any partnership or S corporation that elects to be subject to tax pursuant to subsection 10 of this section;**
- (2) "Direct member", a member that holds an interest directly in an affected business entity;**
- (3) "Indirect member", a member that itself holds an interest, through a direct or indirect member that is a partnership or an S corporation, in an affected business entity;**
- (4) "Member":**
 - (a) A shareholder of an S corporation;**
 - (b) A partner in a general partnership, a limited partnership, or a limited liability partnership; or**
 - (c) A member of a limited liability company that is treated as a partnership or S corporation for federal income tax purposes;**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

(5) "Partnership", the same meaning as provided in 26 U.S.C. Section 7701(a)(2). The term "partnership" shall include a limited liability company that is treated as a partnership for federal income tax purposes;

(6) "S corporation", a corporation or limited liability company that is treated as an S corporation for federal income tax purposes;

(7) "Tax year", the tax year of a partnership or S corporation for federal income tax purposes.

3. (1) Notwithstanding any provision of law to the contrary, a tax is hereby imposed on each affected business entity that is a partnership and that is doing business in this state. Such affected business entity shall, at the time that the affected business entity's return is due, pay a tax in an amount equal to the sum of the separately and nonseparately computed items, as described in 26 U.S.C. Section 702(a), of the affected business entity, to the extent derived from or connected with sources within this state, as determined pursuant to section 143.455, decreased by the deduction allowed under 26 U.S.C. Section 199A computed as if such deduction was allowed to be taken by the affected business entity for federal tax purposes, and increased or decreased by any modification made pursuant to section 143.471 that relates to an item of the affected business entity's income, gain, loss, or deduction, to the extent derived from or connected with sources within this state, as determined pursuant to section 143.455, with such sum multiplied by the highest rate of tax used to determine a Missouri income tax liability for an individual pursuant to section 143.011. An affected entity paying the tax pursuant to this subsection shall include with the payment of such taxes each report provided to a member pursuant to subsection 7 of this section.

(2) If the amount calculated pursuant to subdivision (1) of this section results in a net loss, such net loss may be carried forward to succeeding tax years for which the affected business entity elects to be subject to tax pursuant to subsection 11 of this section until fully used.

4. (1) Notwithstanding any provision of law to the contrary, a tax is hereby imposed on each affected business entity that is an S corporation and that is doing business in this state. Such affected business entity shall, at the time that the affected business entity's return is due, pay a tax in an amount equal to the sum of the separately and nonseparately computed items, as described in 26 U.S.C. Section 1366, of the affected business entity, to the extent derived from or connected with sources within this state, as determined pursuant to section 143.455, decreased by the deduction allowed under 26 U.S.C. Section 199A computed as if such deduction was allowed to be taken by the affected business entity for federal tax purposes, and increased or decreased by any modification made pursuant to section 143.471 that relates to an item of the affected business entity's income, gain, loss, or deduction, to the extent derived from or connected with sources within this state, as determined pursuant to section 143.455, with such sum multiplied by the highest rate of tax used to determine a Missouri income tax liability for an individual pursuant to section 143.011. An affected entity paying the tax pursuant to this subsection shall include with the payment of such taxes each report provided to a member pursuant to subsection 7 of this section.

(2) If the amount calculated pursuant to subdivision (1) of this section results in a net loss, such net loss may be carried forward to succeeding tax years for which the affected business entity elects to be subject to tax pursuant to subsection 11 of this section until fully used.

5. If an affected business entity is a direct or indirect member of another affected business entity, the member affected business entity shall, when calculating its net income or loss pursuant to subsections 3 or 4 of this section, subtract its distributive share of income or add its distributive share of loss from the affected business entity in which it is a direct or indirect member to the extent that the income or loss was derived from or connected with sources within this state, as determined pursuant to section 143.455.

6. A nonresident individual who is a member shall not be required to file an income tax return pursuant to this chapter for a tax year if, for such tax year, the only source of income derived from or connected with sources within the state for such member, or the member and the member's spouse if a joint federal income tax return is or shall be filed, is from one or more affected business entities and such affected business entity or entities file and pay the tax due under this section.

7. Each partnership and S corporation shall report to each of its members, for each tax year, such member's direct pro rata share of the tax imposed pursuant to this section on such partnership or S corporation if it is an affected business entity and its indirect pro rata share of the tax imposed on any affected business entity in which such affected business entity is a direct or indirect member.

8. (1) Each member that is subject to the tax imposed pursuant to section 143.011 shall be entitled to a credit against the tax imposed pursuant to section 143.011. Such credit shall be in an amount equal to such member's direct and indirect pro rata share of the tax paid pursuant to this section by any affected business entity of which such member is directly or indirectly a member.

(2) If the amount of the credit authorized by this subsection exceeds such member's tax liability for the tax imposed pursuant to section 143.011, the excess amount shall not be refunded but may be carried forward to each succeeding tax year until such credit is fully taken.

9. (1) Each member that is subject to the tax imposed pursuant to section 143.011 as a resident or part-year resident of this state shall be entitled to a credit against the tax imposed pursuant to section 143.011 for such member's direct and indirect pro rata share of taxes paid to another state of the United States or to the District of Columbia, on income of any partnership or S corporation of which such person is a member that is derived therefrom, provided the taxes paid to another state of the United States or to the District of Columbia results from a tax that the director of revenue determines is substantially similar to the tax imposed pursuant to this section. Any such credit shall be calculated in a manner to be prescribed by the director of revenue, provided such calculation is consistent with the provisions of this section, and further provided that the limitations provided in subsection 2 of section 143.081 shall apply to the credit authorized by this subsection.

(2) If the amount of the credit authorized by this subsection exceeds such member's tax liability for the tax imposed pursuant to section 143.011, the excess amount shall not be refunded and shall not be carried forward.

10. (1) Each corporation that is subject to the tax imposed pursuant to section 143.071 and that is a member shall be entitled to a credit against the tax imposed pursuant to section 143.071. Such credit shall be in an amount equal to such corporation's direct and indirect pro rata share of the tax paid pursuant to this section by any affected business entity of which such corporation is directly or indirectly a member. Such credit shall be applied after all other credits.

(2) If the amount of the credit authorized by this subsection exceeds such corporation's tax liability for the tax imposed pursuant to section 143.071, the excess amount shall not be refunded but may be carried forward to each succeeding tax year until such credit is fully taken.

11. A partnership or an S corporation may elect to become an affected business entity that is required to pay the tax pursuant to this section in any tax year. A separate election shall be made for each taxable year. Such election shall be made on such form and in such manner as the director of revenue may prescribe by rule. An election made pursuant to this subsection shall be signed by:

(1) Each member of the electing entity who is a member at the time the election is filed; or

(2) Any officer, manager, or member of the electing entity who is authorized to make the election and who attests to having such authorization under penalty of perjury.

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12. The provisions of sections 143.425 and 143.601 shall apply to any modifications made to an affected business entity's federal return, and such affected business entity shall pay any resulting underpayment of tax to the extent not already paid pursuant to section 143.425.

13. (1) With respect to an action required or permitted to be taken by an affected business entity pursuant to this section, a proceeding under section 143.631 for reconsideration by the director of revenue, an appeal to the administrative hearing commission, or a review by the judiciary with respect to such action, the affected business entity shall designate an affected business entity representative for the tax year, and such affected business entity representative shall have the sole authority to act on behalf of the affected business entity, and the affected business entity's members shall be bound by those actions.

(2) The department of revenue may establish reasonable qualifications and procedures for designating a person to be the affected business entity representative.

(3) The affected business entity representative shall be considered an authorized representative of the affected business entity and its members under section 32.057 for the purposes of compliance with this section, or participating in a proceeding described in subdivision (1) of this subsection.

14. The provisions of this section shall only apply to tax years ending on or after December 31, 2022.

15. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

144.010. DEFINITIONS. — 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person engages in business activities within this state or maintains a place of business in this state under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

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Matter in bold-face type is proposed language.

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term gross receipts shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid. The term gross receipts shall not include usual and customary delivery charges that are stated separately from the sale price;

(5) "Instructional class", includes any class, lesson, or instruction intended or used for teaching;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as described in section 277.024, llamas, alpaca, buffalo, bison, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, honey bees, or rabbits raised in confinement for human consumption;

(7) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(8) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(9) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state;

(10) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(11) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(12) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(13) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the

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practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term sale at retail shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events, except amounts paid for any instructional class;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers, **except as provided in subdivision (12) of subsection 1 of section 144.011;**

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(14) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(15) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require; and

(16) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term manufactured homes shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.011. SALE AT RETAIL NOT TO INCLUDE CERTAIN TRANSFERS. — 1. For purposes of this chapter, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) **The purchase by persons operating hotels, motels, or other transient accommodation establishments of electricity, electrical current, water, and gas, whether natural or artificial, which are used to heat, cool, or provide water or power to the guests' accommodations of such establishments, including sleeping rooms, meeting and banquet rooms, and any other customer space rented by guests, and which are included in the charge made for such accommodations. Any person required to remit sales tax on such purchases prior to August 28, 2022, shall be entitled to a refund on such taxes remitted;**

(13) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by this chapter was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by this chapter was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or ~~[(13)]~~ **(14)** Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes;

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.

208.798. TERMINATION DATE. — The provisions of sections 208.780 to 208.798 shall terminate on August 28, ~~[2022]~~**2029**.

285.730. RIGHTS OF CLIENT AND PEO — EMPLOYER AGREEMENTS, CONTENTS — NOTICE REQUIREMENTS — LIABILITY — PEO NOT ENGAGED IN SALE OF INSURANCE — POLITICAL SUBDIVISIONS, TAXES. — 1. Except as specifically provided in sections 285.700 to 285.750 or in the professional employer agreement, in each coemployment relationship:

(1) The client shall be entitled to exercise all rights, and shall be obligated to perform all duties and responsibilities otherwise applicable to an employer in an employment relationship;

(2) The PEO shall be entitled to exercise only those rights and obligated to perform only those duties and responsibilities specifically required under sections 285.700 to 285.750 or set forth in the professional employer agreement. The rights, duties, and obligations of the PEO as coemployer with respect to any covered employee shall be limited to those arising pursuant to the professional employer agreement and sections 285.700 to 285.750 during the term of coemployment by the PEO of such covered employee; and

(3) Unless otherwise expressly agreed by the PEO and the client in a professional employer agreement, the client retains the exclusive right to direct and control the covered employees as is necessary to conduct the client's business, to discharge any of the client's fiduciary responsibilities, or to comply with any licensure requirements applicable to the client or to the covered employees.

2. Except as specifically provided under sections 285.700 to 285.750, the coemployment relationship between the client and the PEO and between each coemployer and each covered employee shall be governed by the professional employer agreement. Each professional employer agreement shall include the following:

(1) The allocation of rights, duties, and obligations as described in subsection 1 of this section;

(2) A requirement that the PEO shall have responsibility to:

(a) Pay wages to covered employees;

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- (b) Withhold, collect, report, and remit payroll-related and unemployment taxes; and
- (c) To the extent the PEO has assumed responsibility in the professional employer agreement, to make payments for employee benefits for covered employees.

As used in this section, the term "wages" does not include any obligation between a client and a covered employee for payments beyond or in addition to the covered employee's salary, draw, or regular rate of pay, such as bonuses, commissions, severance pay, deferred compensation, profit sharing, vacation, sick, or other paid-time off pay, unless the PEO has expressly agreed to assume liability for such payments in the professional employer agreement; and

(3) A requirement that the PEO shall have a right to hire, discipline, and terminate a covered employee as may be necessary to fulfill the PEO's responsibilities under sections 285.700 to 285.750 and the professional employer agreement. The client shall have a right to hire, discipline, and terminate a covered employee.

3. With respect to each professional employer agreement entered into by a PEO, such PEO shall provide written notice to each covered employee affected by such agreement of the general nature of the coemployment relationship between and among the PEO, the client, and such covered employee.

4. Except to the extent otherwise expressly provided by the applicable professional employer agreement:

(1) A client shall be solely responsible for the quality, adequacy, or safety of the goods or services produced or sold in the client's business;

(2) A client shall be solely responsible for directing, supervising, training, and controlling the work of the covered employees with respect to the business activities of the client and solely responsible for the acts, errors, or omissions of the covered employees with regard to such activities;

(3) A client shall not be liable for the acts, errors, or omissions of a PEO or of any covered employee of the client and a PEO if such covered employee is acting under the express direction and control of the PEO;

(4) A PEO shall not be liable for the acts, errors, or omissions of a client or of any covered employee of the client if such covered employee is acting under the express direction and control of the client;

(5) Nothing in this subsection shall serve to limit any contractual liability or obligation specifically provided in the written professional employer agreement; and

(6) A covered employee is not, solely as the result of being a covered employee of a PEO, an employee of the PEO for purposes of general liability insurance, fidelity bonds, surety bonds, employer's liability that is not covered by workers' compensation, or liquor liability insurance carried by the PEO unless the covered employees are included by specific reference in the professional employer agreement and applicable prearranged employment contract, insurance contract, or bond.

5. A PEO under sections 285.700 to 285.750 is not engaged in the sale of insurance or in acting as a third-party administrator by offering, marketing, selling, administering, or providing professional employer services that include services and employee benefit plans for covered employees. **A client and a registered professional employer organization shall each be deemed an employer under the laws of this state for purposes of sponsoring retirement and welfare benefits plans for its covered employees. A fully insured welfare benefit plan sponsored by a registered professional employer organization for the benefit of its covered employees shall be treated for the purposes of state law as a single employer welfare benefit plan. For purposes of sponsoring welfare benefit plans for its eligible covered employees, a registered professional employer organization shall be considered the employer of all of its eligible covered employees, and all eligible covered employees of one or more clients participating in a health benefit plan sponsored by a registered professional employer organization shall be considered employees of such registered professional employer organization.** The provisions of this section shall not supersede or preempt any requirements under section 375.014.

6. For purposes of this state or any county, municipality, or other political subdivision thereof:

(1) Any tax or assessment imposed upon professional employer services or any business license or other fee that is based upon gross receipts shall allow a deduction from the gross income or receipts of the business derived from performing professional employer services that is equal to that portion of the fee charged to a client that represents the actual cost of wages and salaries, benefits, payroll taxes, withholding, or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer agreement;

(2) Any tax assessed or assessment or mandated expenditure on a per-capita or per-employee basis shall be assessed against the client for covered employees and against the professional employer organization for its employees who are not covered employees coemployed with a client. Benefits or monetary consideration that meet the requirements of mandates imposed on a client and that are received by covered employees through the PEO either through payroll or through benefit plans sponsored by the PEO shall be credited against the client's obligation to fulfill such mandates; and

(3) In the case of a tax or an assessment imposed or calculated upon the basis of total payroll, the professional employer organization shall be eligible to apply any small business allowance or exemption available to the client for the covered employees for purposes of computing the tax.

313.800. DEFINITIONS — ADDITIONAL GAMES OF SKILL, COMMISSION APPROVAL, PROCEDURES. — 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person's banking account in an amount determined under section 313.817 on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;

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(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(9) "Excursion gambling boat", a boat, ferry, other floating facility, or any nonfloating facility licensed by the commission on **or inside of** which gambling games are allowed;

(10) "Fiscal year", the fiscal year of a home dock city or county;

(11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

(12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

(13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

(14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by the player's reason, foresight, dexterity, sagacity, design, information or strategy;

(15) "Games of skill", any gambling game in which there is an opportunity for the player to use the player's reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

(16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

(17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

(18) "Licensee", any person licensed under sections 313.800 to 313.850;

(19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled wholly or partially by the water of those rivers in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(20) "Nonfloating facility", any structure within one thousand feet **from the closest edge of the main channel** of the Missouri or Mississippi River, **as established by the United States Army Corps of Engineers**, that contains at least two thousand gallons of water beneath or inside the facility either by an enclosed space containing such water or in rigid or semirigid storage containers, **tanks**, or structures;

(21) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. (1) In addition to the games of skill defined in this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing the petitioner's case by a preponderance of evidence including:

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- (a) Is it in the best interest of gaming to allow the game; and
- (b) Is the gambling game a game of chance or a game of skill?

(2) All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.805. POWERS OF COMMISSION. — The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

(1) To investigate applicants and determine the priority and eligibility of applicants for a license and to select among competing applicants for a license the applicant which best serves the interests of the citizens of Missouri;

(2) To license the operators of excursion gambling boats and operators of gambling games within such boats, to identify occupations within the excursion gambling boat operations which require licensing, and adopt standards for licensing the occupations including establishing fees for the occupational licenses and to license suppliers;

(3) To adopt standards under which all excursion gambling boat operations shall be held and standards for the facilities within which the gambling operations are to be held. Notwithstanding the provisions of chapter 311 to the contrary, the commission may authorize the operation of gambling games on an excursion gambling boat which is also licensed to sell or serve alcoholic beverages, wine, or beer. The commission shall regulate the wagering structure for gambling excursions, provided that the commission shall not establish any regulations or policies that limit the amount of wagers, losses, or buy-in amounts;

(4) To enter the premises of excursion gambling boats, facilities, or other places of business of a licensee within this state to determine compliance with sections 313.800 to 313.850;

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

(7) To require a licensee, an employee of a licensee or holder of an occupational license to remove a person violating a provision of sections 313.800 to 313.850 or the commission rules, orders, or final orders, or other person deemed to be undesirable from the excursion gambling boat or adjacent facilities;

(8) To require the removal from the premises of a licensee, an employee of a licensee, or a holder of an occupational license for a violation of sections 313.800 to 313.850 or a commission rule or engaging in a fraudulent practice;

(9) To require all licensees to file all financial reports required by rules and regulations of the commission;

(10) To issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other pertinent documents, and to administer oaths and affirmations

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to the witnesses, when, in the judgment of the commission, it is necessary to enforce sections 313.800 to 313.850 or the commission rules;

(11) To keep accurate and complete records of its proceedings and to certify the records as may be appropriate;

(12) To ensure that the gambling games are conducted fairly. No gambling device shall be set to pay out less than eighty percent of all wagers;

(13) To require all licensees of gambling game operations to use a cashless wagering system whereby all players' money is converted to physical or electronic tokens, electronic cards, or chips which only can be used on the excursion gambling boat;

(14) To require excursion gambling boat licensees to develop a system, approved by the commission, that allows patrons the option to prohibit the excursion gambling boat licensee from using identifying information for marketing purposes. The provisions of this subdivision shall apply only to patrons giving identifying information for the first time. Such system shall be submitted to the commission by October 1, 2000, and approved by the commission by January 1, 2001. The excursion gambling boat licensee shall use identifying information obtained from patrons who have elected to have marketing blocked under the provisions of this section only for the purposes of enforcing the requirements contained in sections 313.800 to 313.850. This section shall not prohibit the commission from accessing identifying information for the purposes of enforcing section 313.004 and sections 313.800 to 313.850;

(15) To determine which of the authorized gambling games will be permitted on any licensed excursion gambling boat;

(16) The commission shall base its decision to license excursion gambling boats on any of the following criteria: the docking location or the excursion cruise could cause danger to the boat's passengers, violate federal law or the law of another state, or cause disruption of interstate commerce or possible interference with railway or barge transportation. The commission shall consider economic feasibility or impact that would benefit land-based development and permanent job creation. The commission shall not discriminate among applicants for excursion gambling boats that are similarly situated with respect to the criteria set forth in this section;

(17) The commission shall render a finding **or findings** concerning the transition from a boat, barge, or floating facility to a nonfloating facility within thirty days after a hearing on any request from an applicant or **existing** licensee. Such hearing may be held prior to any final action on licensing to assist an applicant and any city or county in the finalizing of their economic development plan;

(18) To require any applicant for a license or renewal of a license to operate an excursion gambling boat to provide an affirmative action plan which has as its goal the use of best efforts to achieve maximum employment of African-Americans and other minorities and maximum participation in the procurement of contractual purchases of goods and services. This provision shall be administered in accordance with all federal and state employment laws, including Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991. At license renewal, the licensee will report on the effectiveness of the plan. The commission shall include the licensee's reported information in its annual report to the joint committee on gaming and wagering;

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

407.475. NO ADDITIONAL ANNUAL FILING OR REPORTING REQUIREMENTS, WHEN — INAPPLICABILITY. — 1. Except when specifically required or authorized by federal law, no state agency or state official shall impose any additional annual filing or reporting requirements on an organization regulated or specifically exempted from regulation under sections 407.450 to 407.478 that are more stringent, restrictive, or expansive than the requirements authorized under section 407.462.

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2. This section shall not apply to state grants or contracts, nor investigations under section 407.472 and shall not restrict enforcement actions against specific charitable organizations. This section shall not apply to labor organizations, as that term is defined in section 105.500.

3. This section shall not apply when an organization regulated or specifically exempted from regulation under sections 407.450 to 407.475 is providing any report or disclosure required by state law to be filed with the secretary of state.

620.515. SHOW-ME HEROES PROGRAM ESTABLISHED TO ASSIST ACTIVE DUTY MILITARY PERSONNEL AND MEMBERS OF THE NATIONAL GUARD AND THEIR FAMILIES — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Show-Me Heroes" program, the purpose of which is to:

(1) Assist the spouse of an active duty National Guard or reserve component service member reservist and active duty United States military personnel to address immediate needs and employment in an attempt to keep the family from falling into poverty while the primary income earner is on active duty, and during the five-year period following discharge from deployment; and

(2) Assist returning National Guard troops or reserve component service member reservists and recently separated United States military personnel with finding work in situations where an individual needs to rebuild business clientele or where an individual's job has been eliminated while such individual was deployed, or where the individual otherwise cannot return to his or her previous employment.

2. Subject to appropriation, the department of ~~[economic development]~~ **higher education and workforce development** shall operate the Show-Me heroes program through existing programs. Eligibility for the program shall be based on the following criteria:

(1) Eligible participants in the program shall be those families where:

(a) The primary income earner was called to active duty in defense of the United States for a period of more than four months;

(b) The family's primary income is no longer available;

(c) The family is experiencing significant hardship due to financial burdens; and

(d) The family has no outside resources available to assist with such hardships;

(2) Services that may be provided to the family will be aimed at ameliorating the immediate crisis and providing a path for economic stability while the primary income is not available due to the active military commitment. Services shall be made available up to five years following discharge from deployment. Services may include, but not be limited to the following:

(a) Financial assistance to families facing financial crisis from overdue bills;

(b) Help paying day care costs to pursue training and or employment;

(c) Help covering the costs of transportation to training and or employment;

(d) Vocational evaluation and vocational counseling to help the individual choose a visible employment goal;

(e) Vocational training to acquire or upgrade skills needed to be marketable in the workforce;

(f) Paid internships and subsidized employment to train on the job; and

(g) Job placement assistance for those who don't require skills training.

3. (1) In addition to the benefits provided to those meeting the criteria established by subsection 2 of this section, the department of higher education and workforce development may award grants from the Show-Me heroes program or programs administering the Show-Me heroes program to one or more nonprofit organizations that facilitate the participation in apprenticeship training programs of veterans and active duty United States military personnel who are transitioning into civilian employment.

(2) A grant awarded pursuant to this subsection shall be used only to recruit or assist veterans or active duty United States military personnel who are transitioning into civilian employment to participate in an apprenticeship training program in this state.

(3) As used in this subsection, the term "apprenticeship training program" means a training program that provides on-the-job training, preparatory instruction, supplementary instruction, or related instruction in a trade that has been certified as an apprenticeable occupation by the Office of Apprenticeship of the United States Department of Labor.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

620.800. DEFINITIONS. — The following additional terms used in sections 620.800 to 620.809 shall mean:

(1) "Agreement", the agreement between a qualified company, a community college district, and the department concerning a training project. Any such agreement shall comply with the provisions of section 620.017;

(2) **"Application", a form developed by and submitted to the department by a local education agency on behalf of a qualified company applying for benefits under section 620.806;**

~~[(2)]~~ (3) "Board of trustees", the board of trustees of a community college district established under the provisions of chapter 178;

~~[(3)]~~ (4) "Certificate", a new or retained jobs training certificate issued under section 620.809;

~~[(4)]~~ "Committee", the Missouri one start job training joint legislative oversight committee, established under the provisions of section 620.803; —]

(5) "Department", the Missouri department of economic development;

(6) "Employee", a person employed by a qualified company;

~~(7) ["Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full time employees who routinely performed job duties within Missouri;~~

~~(8)]~~ (8) "Full-time employee", an employee of the qualified company who is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one to whom the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

~~[(9)]~~ (8) "Local education agency", a community college district, two-year state technical college, or technical career education center;

~~[(10)]~~ (9) "Missouri one start program", the ~~[training]~~ program established under sections 620.800 to 620.809;

~~[(11)]~~ (10) "New capital investment", costs incurred by the qualified company at the project facility for real or personal property, that may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or approval of the **application or** notice of intent;

~~[(12)]~~ (11) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the **application or** notice of intent shall be deemed a new job. An employee who spends less than fifty

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percent of his or her work time at the facility is still considered to be located at a facility if he or she receives his or her directions and control from that facility, is on the facility's payroll, **and** one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county's average wage;

~~[(13)]~~ **(12)** "New jobs credit", the credit from withholding remitted by a qualified company provided under subsection 7 of section 620.809;

~~[(14)]~~ **(13)** "Notice of intent", a form developed by and submitted to the department that states the qualified company's intent to request benefits under ~~[this program]~~ **section 620.809**;

~~[(15)]~~ **(14)** "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated~~], provided that, if the buildings making up the project facility are not located within the same county, the average wage of the new payroll must exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located]~~. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

~~[(16)]~~ **(15)** "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the **application or** notice of intent or, for the twelve-month period prior to the date of the **application or** notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the **application or** notice of intent;

~~[(17)]~~ **(16)** "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.800 to 620.809, the term "qualified company" shall not mean:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) **Store-front consumer-based** retail trade establishments (**under** NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;
- (c) Food services and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:
 - a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization;
- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production; or
- (k) Biodiesel production.

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(17) **"Recruitment services", promoting workforce opportunities in Missouri;**

(18) "Related company":

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company;

or

(c) Corporations, partnerships, trusts, or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; and "ownership" shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(19) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(20) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the **application or** notice of intent or, for the twelve-month period prior to the date of the **application or** notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(21) **"Relocation costs", costs paid by a qualified company for a full-time employee in a new job, excluding costs for residents relocating from a Kansas border county to a Missouri border county, as such terms are defined in subsection 1 of section 135.1670, provided subsection 2 of section 135.1670 is in effect. Relocation costs shall only apply to an employee relocating to Missouri from out of state to work in the new job. Reimbursement for relocation costs shall be limited to fifty percent of the amount paid by the employer to cover actual relocation expenses, including, but not limited to, reasonable moving and related travel expenses. The amount paid to a qualified company shall not exceed three thousand five hundred dollars per employee, and shall not exceed fifty percent of the total training project award;**

(22) "Retained jobs", the average number of full-time employees of a qualified company located at the project facility during each month for the calendar year preceding the year in which the **application or** notice of intent is submitted;

~~[(22)]~~ (23) "Retained jobs credit", the credit from withholding remitted by a qualified company provided under subsection 7 of section 620.809;

~~[(23)]~~ (24) "Targeted industry", an industry or one of a cluster of industries identified by the department by rule following a strategic planning process as being critical to the state's economic security and growth;

~~[(24)]~~ "Training program", the Missouri one start program established under sections 620.800 to 620.809;—

(25) "Training project", the project or projects established through the Missouri one start program for the creation or retention of jobs by providing education and training of workers;

(26) "Training project costs", may include all necessary and incidental costs of providing program services through the ~~training~~ **Missouri one start** program, such as:

(a) Training materials and supplies;

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- (b) Wages and benefits of instructors, who may or may not be employed by the eligible industry, and the cost of training such instructors;
- (c) Subcontracted services;
- (d) On-the-job training;
- (e) Training facilities and equipment;
- (f) Skill assessment;
- (g) Training project and curriculum development;
- (h) Travel directly to the training project, including a coordinated transportation program for training if the training can be more effectively provided outside the community where the jobs are to be located;
- (i) Payments to third-party training providers and to the eligible industry;
- (j) Teaching and assistance provided by educational institutions in the state of Missouri;
- (k) In-plant training analysis, including fees for professionals and necessary travel and expenses;
- (l) Assessment and preselection tools;
- (m) Publicity;
- (n) Instructional services;
- (o) Rental of instructional facilities with necessary utilities; ~~and~~
- (p) **Relocation costs;**
- (q) Payment of the principal, premium, and interest on certificates, including capitalized interest, issued to finance a project, and the funding and maintenance of a debt service reserve fund to secure such certificates; **and**
- (r) **Costs of training project services not otherwise included in this subdivision;**
- (27) "Training project services", may include, but shall not be limited to, the following:
 - (a) Job training, which may include, but not be limited to, preemployment training, analysis of the specified training needs for a qualified company, development of training plans, and provision of training through qualified training staff;
 - (b) Adult basic education and job-related instruction;
 - (c) Vocational and skill-assessment services and testing;
 - (d) Training facilities, equipment, materials, and supplies;
 - (e) On-the-job training;
 - (f) Administrative expenses at a reasonable amount determined by the department;
 - (g) Subcontracted services with state institutions of higher education, private colleges or universities, or other federal, state, or local agencies;
 - (h) Contracted or professional services; and
 - (i) Issuance of certificates, when applicable.

620.803. TRAINING PROGRAM ESTABLISHED, PURPOSE, FUNDING — OVERSIGHT COMMITTEE CREATED, MEMBERS, REPORT — RULEMAKING AUTHORITY — BANKRUPTCY, NOTIFICATION REQUIRED — REPAYMENT OF BENEFITS, WHEN. — 1. The department shall establish a "Missouri One Start Program" to assist ~~[qualified]~~ companies ~~[in the]~~ **with recruitment services**, training of employees in new jobs, and the retraining or upgrading of skills of full-time employees in retained jobs as provided in sections 620.800 to 620.809. The ~~[training]~~ **Missouri one start** program shall be funded through appropriations to the funds established under sections 620.806 and 620.809. The department shall, to the maximum extent practicable, prioritize funding under the ~~[training]~~ **Missouri one start** program to assist qualified companies in targeted industries.

2. ~~[There is hereby created the "Missouri One Start Job Training Joint Legislative Oversight Committee". The committee shall consist of three members of the Missouri senate appointed by the president pro tempore of the senate and three members of the house of representatives appointed by the speaker of the house. No more than two of the members of the senate and two of the members of the~~

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house of representatives shall be from the same political party. Members of the committee shall report to the governor, the president pro tempore of the senate, and the speaker of the house of representatives on all assistance to qualified companies under the provisions of sections 620.800 to 620.809 provided during the preceding fiscal year. The report of the committee shall be delivered no later than October first of each year. The director of the department shall report to the committee such information as the committee may deem necessary for its annual report. Members of the committee shall receive no compensation in addition to their salary as members of the general assembly but may receive their necessary expenses while attending the meetings of the committee, to be paid out of the joint contingent fund.

~~3.]~~ The department shall publish guidelines and may promulgate rules and regulations governing the ~~[training]~~ **Missouri one start** program. In establishing such guidelines and promulgating such rules and regulations, the department shall consider such factors as the potential number of new jobs to be created **or the number of jobs to be retained**, the potential number of new minority jobs created, the amount of new capital investment in new **or existing** facilities and equipment, the significance of state benefits to the qualified company's decision to locate or expand in Missouri, the economic need of the affected community, and the importance of the qualified company to the economic development of the state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

~~[4.]~~ **3.** The department shall make **Missouri one start** program applications and guidelines available online.

~~[5.]~~ **4.** The department may contract with other entities for the purposes of advertising, marketing, or promoting the ~~[training]~~ **Missouri one start** program established in sections 620.800 to 620.809. Any assistance through the ~~[training]~~ **Missouri one start** program shall be provided under an agreement.

~~[6.]~~ **5.** Prior to the authorization of any application submitted through the ~~[training]~~ **Missouri one start** program, the department shall verify the applicant's tax payment status and offset any delinquencies as provided in section 135.815.

~~[7.]~~ **6.** Any qualified company that is awarded benefits under sections 620.800 to 620.809 and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., as amended, shall immediately notify the department, shall forfeit such benefits, and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

~~[8.]~~ **7.** The department may require repayment of all benefits awarded, increased by an additional amount that shall provide the state a reasonable rate of return, to any qualified company under sections 620.800 to 620.809 that fails to maintain the new or retained jobs within five years of approval of the benefits or that leaves the state within five years of approval of the benefits.

~~[9.]~~ **8.** The department shall be authorized to contract with other entities, including businesses, industries, other state agencies, and political subdivisions of the state for the purpose of implementing a training project **or providing recruitment services** under the provisions of sections 620.800 to 620.809.

620.806. MISSOURI ONE START JOB DEVELOPMENT FUND ESTABLISHED, USE OF MONEYS — RULEMAKING AUTHORITY. — 1. There is hereby created in the state treasury a fund to be known as the "Missouri One Start Job Development Fund", that shall be administered by the department for the purposes of the Missouri one start program. The fund shall consist of all moneys which may be

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appropriated to it by the general assembly and also any gifts, contributions, grants, or bequests received from federal, private or other sources, including, but not limited to, any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure, development, and human resource investment programs which may be provided by the federal government or other sources. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The department may provide financial assistance **for training projects** through the ~~training~~ **Missouri one start** program **from the Missouri one start job development fund** to qualified companies that create new jobs which will result in the need for training, or that make new capital investment relating directly to the retention of jobs in an amount at least five times greater than the amount of any financial assistance. Financial assistance may also be provided to a consortium of a majority of qualified companies organized to provide common training to the consortium members' employees.

3. Funds in the Missouri one start job development fund shall be appropriated, **for recruitment services, and for financial assistance for training projects** through the ~~training~~ **Missouri one start** program, by the general assembly to the department ~~and~~. **Recruitment services shall be administered by the department. Financial assistance for training projects** shall be administered by a local education agency certified by the department for such purpose. ~~Except for state-sponsored preemployment training, no qualified company shall receive more than fifty percent of its training program costs from the Missouri one start job development fund.~~ No funds shall be awarded or reimbursed to any qualified company for the training, retraining, or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage. Upon approval by the department, training project costs, except the purchase of training equipment and training facilities, shall be eligible for reimbursement with funds from the Missouri one start job development fund. Notwithstanding any provision of law to the contrary, no qualified company within a service industry shall be eligible for **training** assistance under this subsection unless such qualified company provides services in interstate commerce, which shall mean that the qualified company derives a majority of its annual revenues from out of the state.

~~[3.]~~ 4. Upon appropriation, a local education agency may petition the department to utilize the Missouri one start job development fund in order to create or improve training facilities, training equipment, training staff, training expertise, training programming, and administration. The department shall review all petitions and may award funds from the Missouri one start job development fund for reimbursement of training project costs and training project services as it deems necessary.

~~[4.]~~ 5. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

620.809. COMMUNITY COLLEGE FUNDS CREATED, USE OF MONEYS — FORMS — ESTABLISHMENT OF PROJECTS, PROCEDURE, REQUIREMENTS — FUNDING OPTIONS — ISSUANCE OF CERTIFICATES — SUNSET PROVISION. — 1. There is hereby established in the state

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treasury a fund to be known as the "Missouri One Start Community College New Jobs Training Fund", that shall be administered by the department for **training projects in the [training] Missouri one start program.** **Through June 30, 2023,** the department of revenue shall credit to the fund, as received, all new jobs credits. ~~[For existing Missouri businesses creating new jobs, the training project may include retained jobs.]~~ The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the fund. Moneys in the fund shall be disbursed to the department under regular appropriations by the general assembly. ~~[The department shall have the discretion to determine the appropriate amount of funds to allocate per training project.]~~ **Through June 30, 2023,** the department shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for training projects, which funds shall be used to pay training project costs. Such disbursements shall be made to the special fund for each training project as provided under subsection ~~[5]~~ **6** of this section. All moneys remaining in the fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the fund. **All unobligated funds in the Missouri one start community college new jobs training fund on July 1, 2023, shall be transferred to the Missouri one start community college training fund authorized pursuant to subsection 3 of this section.**

2. There is hereby created in the state treasury a fund to be known as the "Missouri One Start Community College Job Retention Training Fund", that shall be administered by the department for the Missouri one start program. **Through June 30, 2023,** the department of revenue shall credit to the fund, as received, all retained jobs credits. ~~[For existing Missouri businesses retaining jobs, the training project may include new jobs.]~~ The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the fund. Moneys in the fund shall be disbursed to the department under regular appropriations by the general assembly. ~~[The department shall have the discretion to determine the appropriate amount of funds to allocate per training project.]~~ **Through June 30, 2023,** the department shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for projects, which funds shall be used to pay training ~~[program]~~ **project** costs~~[-including the principal, premium, and interest on certificates issued by the district to finance or refinance, in whole or in part, a project].~~ Such disbursements by the department shall be made to the special fund for each project as provided under subsection ~~[5]~~ **6** of this section. All moneys remaining in the fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the fund. **All unobligated funds in the Missouri One Start Community College Job Retention Training Fund on July 1, 2023, shall be transferred to the Missouri one start community college training fund authorized pursuant to subsection 3 of this section.**

3. There is hereby created in the state treasury the "Missouri One Start Community College Training Fund", that shall be administered by the department for training projects in the Missouri one start program. Beginning July 1, 2023, the department of revenue shall credit to the fund, as received, all new and retained jobs credits. The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the fund. Beginning July 1, 2023, the department shall disburse moneys in the fund under regular appropriations by the general assembly. The department shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for training projects, which funds shall be used to pay training project costs. Such disbursements shall be made to the special fund for each training project as provided under subsection 6 of this section. All moneys remaining in the fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the fund.

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4. The department of revenue shall develop such forms as are necessary to demonstrate accurately each qualified company's new jobs credit paid **through June 30, 2023**, into the Missouri one start community college new jobs training fund or retained jobs credit paid **through June 30, 2023**, into the Missouri one start community college job retention training fund. **The department of revenue shall develop such forms as are necessary to demonstrate accurately each qualified company's new or retained jobs credit, or both, as applicable, paid beginning July 1, 2023, into the Missouri one start community college jobs training fund.** The new or retained jobs credits, **or both, as applicable**, shall be accounted as separate from the normal withholding tax paid to the department of revenue by the qualified company. **Through June 30, 2023**, reimbursements made by all qualified companies to the Missouri one start community college new jobs training fund and the Missouri one start community college job retention training fund shall be no less than all allocations made by the department to all community college districts for all projects. **Beginning July 1, 2023, reimbursements made by all qualified companies to the Missouri one start community college training fund shall be no less than all allocations made by the department to all community college districts for all projects.** The qualified company shall remit the amount of the new or retained jobs credit, **or both, as applicable**, to the department of revenue in the same manner as provided in sections 143.191 to 143.265. **A qualified company's training project may include both new jobs and retained jobs.**

[4.] 5. A community college district, with the approval of the department in consultation with the office of administration, may enter into an agreement to establish a training project and provide training project services to a qualified company. **The department shall have the discretion to determine the appropriate amount of funds to allocate per training project.** As soon as possible after initial contact between a community college district and a potential qualified company regarding the possibility of entering into an agreement, the community college district shall inform the department of the potential training project. The department shall evaluate the proposed training project within the overall job training efforts of the state to ensure that the training project will not duplicate other job training programs. The department shall have fourteen days from receipt of a notice of intent to approve or disapprove a training project. If no response is received by the qualified company within fourteen days, the training project shall be deemed approved. Disapproval of any training project shall be made in writing and state the reasons for such disapproval. If an agreement is entered into, the district and the qualified company shall notify the department of revenue within fifteen calendar days. In addition to any provisions required under subsection 6 of this section for a qualified company applying to receive a new or retained job credit, **or both, as applicable**, an agreement may provide, but shall not be limited to:

(1) Payment of training project costs, which may be paid from one or a combination of the following sources:

(a) **Through June 30, 2023**, funds appropriated by the general assembly to the Missouri one start community college new jobs training program fund or Missouri one start community college job retention training program fund, as applicable, and disbursed by the department for the purposes consistent with sections 620.800 to 620.809;

(b) **Beginning July 1, 2023, funds appropriated by the general assembly to the Missouri one start community college jobs training program fund and disbursed by the department for the purposes consistent with sections 620.800 to 620.809;**

(c) Funds appropriated by the general assembly from the general revenue fund and disbursed by the department for the purposes consistent with sections 620.800 to 620.809;

~~[(c)]~~ (d) Tuition, student fees, or special charges fixed by the board of trustees to defray training project costs in whole or in part;

(2) Payment of training project costs which shall not be deferred for a period longer than eight years;

(3) Costs of on-the-job training for employees which shall include wages or salaries of participating employees. Payments for on-the-job training shall not exceed the average of fifty percent of the total wages paid by the qualified company to each participant during the period of training. Payment for on-the-job training may continue for up to six months from the date the training begins;

(4) A provision which fixes the minimum amount of new or retained jobs credits, **or both, if applicable**, general revenue fund appropriations, or tuition and fee payments which shall be paid for training project costs; and

(5) Any payment required to be made by a qualified company. This payment shall constitute a lien upon the qualified company's business property until paid, shall have equal priority with ordinary taxes and shall not be divested by a judicial sale. Property subject to such lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchasers at a tax sale shall obtain the property subject to the remaining payments.

[5-] **6.** (1) For projects that are funded exclusively under ~~paragraph~~ **paragraphs (a) and (b)** of subdivision (1) of subsection [4] **5** of this section, the department shall disburse such funds to the special fund for each training project in the same proportion as the new jobs or retained jobs credits remitted by the qualified company participating in such project bears to the total new jobs or retained jobs credits from withholding remitted by all qualified companies participating in projects during the period for which the disbursement is made.

(2) Subject to appropriation, for projects that are funded through a combination of funds under paragraphs (a) ~~and~~, (b), **and (c)** of subdivision (1) of subsection [4] **5** of this section, the department shall disburse funds appropriated under paragraph ~~[(b)]~~ **(c)** of subdivision (1) of subsection [4] **5** of this section to the special fund for each training project upon commencement of the project. The department shall disburse funds appropriated under ~~paragraph~~ **paragraphs (a) and (b)** of subdivision (1) of subsection [4] **5** of this section to the special fund for each training project in the same proportion as the new jobs or retained jobs credits remitted by the qualified company participating in such project bears to the total new jobs or retained jobs credits from withholding remitted by all qualified companies participating in projects during the period for which the disbursement is made, reduced by the amount of funds appropriated under paragraph ~~[(b)]~~ **(c)** of subdivision (1) of subsection [4] **5** of this section.

~~[6-]~~ **7.** Any qualified company that submits a notice of intent for retained job credits shall enter into an agreement, providing that the qualified company has:

(1) Maintained at least one hundred full-time employees per year at the project facility for the calendar year preceding the year in which the application is made; and

(2) Made or agrees to make a new capital investment of greater than five times the amount of any award under ~~this training~~ **the Missouri one start** program at the project facility over a period of two consecutive years, as certified by the qualified company and:

(a) Has made substantial investment in new technology requiring the upgrading of employee skills; or

(b) Is located in a border county of the state and represents a potential risk of relocation from the state; or

(c) Has been determined to represent a substantial risk of relocation from the state by the director of the department of economic development.

[7-] **8.** If an agreement provides that all or part of the training ~~program~~ **project** costs are to be met by receipt of new or retained jobs credit, **or both, if applicable**, such new or retained jobs credit from withholding shall be determined and paid as follows:

(1) New or retained jobs credit shall be based upon the wages paid to the employees in the new or retained jobs;

(2) A portion of the total payments made by the qualified companies under sections 143.191 to 143.265 shall be designated as the new or retained jobs credit, **or both, if applicable**, from withholding.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

Such portion shall be an amount equal to two and one-half percent of the gross wages paid by the qualified company for each of the first one hundred jobs included in the project and one and one-half percent of the gross wages paid by the qualified company for each of the remaining jobs included in the project. If business or employment conditions cause the amount of the new or retained jobs credit from withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the qualified company under sections 143.191 to 143.265 shall be credited to the applicable fund by the amount of such difference. The qualified company shall remit the amount of the new or retained jobs credit, **or both, if applicable**, to the department of revenue in the manner prescribed in sections 143.191 to 143.265. When all training ~~[program]~~ **project** costs have been paid, the new or retained jobs credits, **or both, if applicable**, shall cease;

(3) The community college district participating in a project shall establish a special fund for and in the name of the training project. All funds appropriated by the general assembly from the funds established under ~~[subsections 1 and 2 of]~~ this section and disbursed by the department for the training project and other amounts received by the district for training project costs as required by the agreement shall be deposited in the special fund. Amounts held in the special fund shall be used and disbursed by the district only to pay training project costs for such training project. The special fund may be divided into such accounts and subaccounts as shall be provided in the agreement, and amounts held therein may be invested in the same manner as the district's other funds;

(4) Any disbursement for training project costs received from the department under sections 620.800 to 620.809 and deposited into the training project's special fund may be irrevocably pledged by a community college district for the payment of the principal, premium, and interest on the certificate issued by a community college district to finance or refinance, in whole or in part, such training project;

(5) The qualified company shall certify to the department of revenue that the new or retained jobs credit, **or both, if applicable**, is in accordance with an agreement and shall provide other information the department of revenue may require;

(6) An employee participating in a training project shall receive full credit under section 143.211 for the amount designated as a new or retained jobs credit;

(7) If an agreement provides that all or part of training ~~[program]~~ **project** costs are to be met by receipt of new or retained jobs credit, **or both, if applicable**, the provisions of this subsection shall also apply to any successor to the original qualified company until the principal and interest on the certificates have been paid.

~~[8.]~~ **9.** To provide funds for the present payment of the training project costs ~~[of new or retained jobs training project]~~ through the ~~[training]~~ **Missouri one start** program **as provided in this section**, a community college district may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the ~~[Missouri one start community college new jobs training fund or the Missouri one start community college job retention training fund]~~ **funds established under this section**, to the special fund established by the community college district for each **training** project. The total amount of outstanding certificates sold by all community college districts shall not exceed the total amount authorized under law as of January 1, 2013, ~~unless an increased amount is authorized in writing by a majority of members of the committee~~. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board of trustees, and may bear interest at such rate or rates as the board of trustees shall determine, notwithstanding the provisions of section 108.170 to the contrary. However, the provisions of chapter 176 shall not apply to the issuance of such certificates. Certificates may be issued with respect to a single **training** project or multiple **training** projects and may contain terms or conditions as the board of trustees may provide by resolution authorizing the issuance of the certificates.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter in bold-face type is proposed language.

~~[9-]~~ 10. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section, with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater, or lesser principal amount of certificates and may bear a rate of interest that is higher, lower, or equivalent to that of the certificates being renewed or refunded.

~~[40-]~~ 11. Before certificates are issued, the board of trustees shall publish once a notice of its intention to issue the certificates, stating the amount, the purpose, and the project or projects for which the certificates are to be issued. A person with standing may, within fifteen days after the publication of the notice, by action in the circuit court of a county in the district, appeal the decision of the board of trustees to issue the certificates. The action of the board of trustees in determining to issue the certificates shall be final and conclusive unless the circuit court finds that the board of trustees has exceeded its legal authority. An action shall not be brought which questions the legality of the certificates, the power of the board of trustees to issue the certificates, the effectiveness of any proceedings relating to the authorization of the project, or the authorization and issuance of the certificates from and after fifteen days from the publication of the notice of intention to issue.

~~[41-]~~ 12. The board of trustees shall make a finding based on information supplied by the qualified company that revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

~~[42-]~~ 13. Certificates issued under this section shall not be deemed to be an indebtedness of the state, the community college district, or any other political subdivision of the state, and the principal and interest on any certificates shall be payable only from the sources provided in subdivision (1) of subsection ~~[4]~~ 5 of this section which are pledged in the agreement.

~~[43-]~~ 14. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under sections 620.800 to 620.809 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; and

(2) If such program is reauthorized, the program authorized under sections 620.800 to 620.809 shall automatically sunset twelve years after the effective date of the reauthorization of sections 620.800 to 620.809; and

(3) Sections 620.800 to 620.809 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 620.800 to 620.809 is sunset.

~~[44-]~~ 15. Any agreement or obligation entered into by the department that was made under the provisions of sections 620.800 to 620.809 prior to August 28, 2019, shall remain in effect according to the provisions of such agreement or obligation.

620.850. CITATION OF LAW — DEFINITIONS — COMMISSION ESTABLISHED, MEMBERS, BYLAWS — REPORT, CONTENTS — GRANT PROGRAM — FUND, USE OF MONEYS — RULES. —
1. This section shall be known and may be cited as the "Citizen's Land Development Cooperative Act".

2. As used in this section, the following terms shall mean:

(1) "Commission", the citizen's land development cooperative commission established in subsection 3 of this section;

(2) "Citizen's land development cooperative", a for-profit, citizen-owned, professionally managed real estate planning and development corporation or land cooperative that may:

(a) Receive title to land, natural resources, physical infrastructure, or facilities donated by a not-for-profit organization or government entity;

(b) Borrow money on behalf of its shareholders to purchase land, plan its use, and develop the land and natural resources for productive and ecologically suitable purposes; and

(c) Enable each citizen whose principal residence is situated in a local or regional area for which future development will be controlled by a citizen's land development cooperative to acquire, free as a right of citizenship, an equal, lifetime, non-transferable, private property ownership stake in local land use and infrastructure development, share profits from land rentals, natural resource use or extraction revenues, and infrastructure user fees, and have a voice as an owner in the governance of future land development in the community;

(3) "Department", the Missouri department of economic development.

3. (1) There is hereby established within the department the citizen's land development cooperative commission.

(2) The commission shall consist of eleven members to be appointed by the governor, with the advice and consent of the senate, one of whom shall be designated as chair of the commission at the time of appointment.

(3) Of the members initially appointed, three members shall serve a term of one year, three members shall serve a term of two years, three members shall serve a term of three years, and two members, one of whom shall be the chair, shall serve a term of four years. Thereafter, all terms shall be for four years.

4. (1) The commission may begin to conduct business upon the appointment of a majority of the voting members, including the chair. The commission may adopt bylaws, and may establish committees and officers as it deems necessary.

(2) A majority of members of the commission shall constitute a quorum, and meetings of the commission shall be subject to the provisions of chapter 610. The commission shall afford an opportunity for public comment at each public meeting.

(3) All members of the commission shall serve without compensation for such service, but shall be reimbursed for all necessary and actual expenses incurred by them in the performance of their official duties.

(4) Subject to appropriation, the department shall provide staff and administrative support services to the commission.

5. The commission shall gather information and make annual reports of recommendations to the governor and to the general assembly regarding the establishment and operation of citizen's land development cooperatives. The reports shall include recommendations concerning, without limitation:

(1) The establishment of policies regarding citizen's land development cooperatives;

(2) The approval of citizen's land development cooperatives throughout the state;

(3) The establishment of guidelines for citizens of localities to petition for local referenda to create citizen's land development cooperatives and to determine the participation plan for allocation, shareholder governance, and ownership rights, the issuance and cancellation of shares of citizen's land development cooperatives, and the disposition of assets in the event of the dissolution of a citizen's land development cooperative;

(4) The establishment of tax reforms that encourage the use and effectiveness of citizen's land development cooperatives through the exemption from all state and local taxes on the holdings of land, natural resources, improvements, other tangible and intangible assets, undistributed capital gains, and undistributed profits, provided that at least ninety percent of the annual profits are distributed as taxable dividends, other forms of taxable distributions to its shareholders and workers, and debt service payments on its loans;

(5) The rendering of assistance to localities on problems, concerns, and issues related to the development of citizen's land development cooperatives;

(6) The undertaking of studies and gathering information and data to accomplish the purposes as set forth in this section and to formulate and present recommendations to the governor and the general assembly;

(7) Applying for, accepting, and expending gifts, grants, loans, or donations from public, quasi-public, or private sources, including any matching funds as may be designated in an appropriation to the department, to enable the commission to carry out its purpose; and

(8) Accounting annually on its fiscal activities, including any matching funds received or expended by the commission.

6. (1) Subject to appropriation, the department shall develop and maintain a program to make grants to communities seeking to establish citizen's land development cooperatives and encourage them to become self-sustaining from land rentals and other fees within the first five years of their formation. The procedures for grant application shall be established by the department by rule.

(2) The commission shall seek funding from local, state, federal, and private sources to make grants and loans and otherwise enhance the development of citizen's land development cooperatives. The department shall advise the commission of all available sources of funding for economic development that it is aware of and shall assist the commission and citizen's land development cooperatives in securing such funding.

(3) Funds received pursuant to this section shall be deposited into the citizen's land development cooperative fund, which is hereby created in the state treasury. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. Moneys in the fund shall be expended solely for the purposes of this section.

7. The department shall establish rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

620.1039. TAX CREDIT FOR QUALIFIED RESEARCH EXPENSES, EXCEPTION — CERTIFICATION BY DIRECTOR OF ECONOMIC DEVELOPMENT — TRANSFER OF CREDITS, APPLICATION, RESTRICTIONS AND PROCEDURE — LIMITATIONS ON CREDIT — TAX CREDITS PROHIBITED, WHEN. — 1. As used in this section, the ~~[term]~~ following terms shall mean:

(1) "Additional qualified research expenses", the difference between qualified research expenses, as certified by the director of economic development, incurred in a tax year subtracted by the average of the taxpayer's qualified research expenses incurred in the three immediately preceding tax years;

(2) "Minority business enterprise", a business that is:

(a) A sole proprietorship owned and controlled by a minority;

(b) A partnership or joint venture owned and controlled by minorities in which at least fifty-one percent of the ownership interest is held by minorities and the management and daily business operations of which are controlled by one or more of the minorities who own it; or

(c) A corporation or other entity whose management and daily business operations are controlled by one or more minorities who own it and that is at least fifty-one percent owned by one or more minorities or, if stock is issued, at least fifty-one percent of the stock is owned by one or more minorities;

(3) "Missouri qualified research and development equipment", tangible personal property that has not previously been used in this state for any purpose and is acquired by the purchaser for the purpose of research and development activities devoted to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products;

(4) "Qualified research expenses", for expenses within this state, the same meaning as prescribed in 26 U.S.C. 41;

(5) "Small business", a corporation, partnership, sole proprietorship or other business entity, including its affiliates, that:

(a) Is independently owned and operated; and

(b) Employs fifty or fewer full-time employees;

(6) "Taxpayer" ~~[means]~~, an individual, a partnership, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or a corporation as described in section 143.441 or 143.471, or section 148.370~~], and the term "qualified research expenses" has the same meaning as prescribed in 26 U.S.C. 41];~~

(7) "Women's business enterprise", a business that is:

(a) A sole proprietorship owned and controlled by a woman;

(b) A partnership or joint venture owned and controlled by women in which at least fifty-one percent of the ownership interest is held by women and the management and daily business operations of which are controlled by one or more of the women who own it; or

(c) A corporation or other entity whose management and daily business operations are controlled by one or more women who own it and that is at least fifty-one percent owned by women or, if stock is issued, at least fifty-one percent of the stock is owned by one or more women.

2. (1) For tax years beginning on or after January 1, 2001, and ending before January 1, 2005, the director of the department of economic development may authorize a taxpayer to receive a tax credit against the tax otherwise due pursuant to chapter 143, or chapter 148, other than the taxes withheld pursuant to sections 143.191 to 143.265, in an amount up to six and one-half percent of the excess of the taxpayer's qualified research expenses, as certified by the director of the department of economic development, within this state during the taxable year over the average of the taxpayer's qualified research expenses within this state over the immediately preceding three taxable years; except that, no tax credit shall be allowed on that portion of the taxpayer's qualified research expenses incurred within this state during the taxable year in which the credit is being claimed, to the extent such expenses exceed two hundred percent of the taxpayer's average qualified research expenses incurred during the immediately preceding three taxable years.

(2) For all tax years beginning on or after January 1, 2023, the director of economic development may authorize a taxpayer to receive a tax credit against the tax otherwise due under chapters 143 and 148, other than the taxes withheld under sections 143.191 to 143.265 in an amount equal to the greater of:

(a) Fifteen percent of the taxpayer's additional qualified research expenses; or

(b) If such qualified research expenses relate to research conducted in conjunction with a public or private college or university located in this state, twenty percent of the taxpayer's additional qualified research expenses.

However, in no case shall a tax credit be allowed for any portion of qualified research expenses that exceed two hundred percent of the taxpayer's average qualified research expenses incurred during the three immediately preceding tax years.

3. The director of economic development shall prescribe the manner in which the tax credit may be applied for. The tax credit authorized by this section may be claimed by the taxpayer to offset the tax liability imposed by chapter 143 or chapter 148 that becomes due in the tax year during which such qualified research expenses were incurred. **For tax years ending before January 1, 2005**, where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability may only be carried forward for the next five succeeding taxable years or until the full credit has been claimed, whichever first occurs. **For all tax years beginning on or after January 1, 2023**, where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability may only be carried forward for the next twelve succeeding tax years or until the full credit has been claimed, whichever occurs first. The application for tax credits authorized by the director pursuant to subsection 2 of this section shall be made no later than the end of the taxpayer's tax period immediately following the tax period for which the credits are being claimed.

4. (1) Certificates of tax credit issued pursuant to this section may be transferred, sold or assigned by filing a notarized endorsement thereof with the department which names the transferee and the amount of tax credit transferred. The director of economic development may allow a taxpayer to transfer, sell or assign up to forty percent of the amount of the certificates of tax credit issued to and not claimed by such taxpayer pursuant to this section during any tax year commencing on or after January 1, 1996, and ending not later than December 31, 1999. Such taxpayer shall file, by December 31, 2001, an application with the department which names the transferee, the amount of tax credit desired to be transferred, and a certification that the funds received by the applicant as a result of the transfer, sale or assignment of the tax credit shall be expended within three years at the state university for the sole purpose of conducting research activities agreed upon by the department, the taxpayer and the state university. Failure to expend such funds in the manner prescribed pursuant to this section shall cause the applicant to be subject to the provisions of section 620.017.

(2) Up to one hundred percent of tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a taxpayer with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the taxpayer's tax period.

5. ~~[No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.]~~
Purchases of Missouri qualified research and development equipment are hereby specifically exempted from all state and local sales and use tax including, but not limited to, sales and use tax authorized or imposed under section 32.085 and chapter 144.

6. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in

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Matter in bold-face type is proposed language.

this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

7. (1) For tax years ending before January 1, 2005, the aggregate of all tax credits authorized pursuant to this section shall not exceed nine million seven hundred thousand dollars in any year.

(2) (a) For all tax years beginning on or after January 1, 2023, the aggregate of all tax credits authorized under this section shall not exceed ten million dollars in any year.

(b) Five million dollars of such ten million dollars shall be reserved for minority business enterprises, women's business enterprises, and small businesses. Any reserved amount not issued or awarded to a minority business enterprise, women's business enterprise, or small business by November first of the tax year may be issued to any taxpayer otherwise eligible for a tax credit under this section.

(c) No single taxpayer shall be issued or awarded more than three hundred thousand dollars in tax credits under this section in any year.

(d) In the event that total eligible claims for credits received in a calendar year exceed the annual cap, each eligible claimant shall be issued credits based upon a pro-rata basis, given that all new businesses, defined as a business less than five years old, are issued full tax credits first.

~~[7. For all tax years beginning on or after January 1, 2005, no tax credits shall be approved, awarded, or issued to any person or entity claiming any tax credit under this section.--]~~

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under this section shall automatically sunset December thirty-first, six years after the effective date of this section;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset December thirty-first, twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

620.1620. MAJOR CONVENTIONS — DEFINITIONS — FUND CREATED — ISSUANCE OF GRANTS, PROCEDURE — REPORT — REFUNDS — SUNSET PROVISION. — 1. This section shall be known and may be cited as the "Meet in Missouri Act".

2. As used in this section, the following terms shall mean:

(1) "Director", the director of the department of economic development;

(2) "Eligible commission", any regional convention and visitors commission created under section 67.601; any body designated by the division of tourism official destination marketing organization for a Missouri county which is designated as the single representative organization for the county to solicit and service tourism;

(3) "Eligible major convention event costs", all operational costs of the venue of a major convention event including, but not limited to, costs related to the following: security, venue utilities, cleaning, production of the event, installation and dismantling, facility rental charges, personnel, construction to prepare the venue, and other temporary facility construction;

(4) "Fund", the major economic convention event in Missouri fund established in this section;

(5) "Grant", an amount of money equal to the total amount of eligible major convention event costs listed in an approved major convention plan to be disbursed at the requested date from the fund to an eligible commission by the state treasurer at the direction of the director which shall not exceed the

amount of estimated total sales taxes to be received by the state generated by sleeping rooms paid by guests of hotels and motels reasonably believed to be occupied due to the major convention event;

(6) "Major convention event", any convention if more than fifty percent of attendees travel to the convention from outside of Missouri and require overnight hotel accommodations;

(7) "Major convention plan", a written plan for the administration of a major convention event, containing such information as shall be requested by the director to establish that the event covered by the application is a major convention event including, but not limited to, the start and end dates of the major convention event, an identification of the organization planning the event, the location of the event, projected total and out-of-state attendance, projected contracted and actual hotel room nights, projected costs and revenues anticipated to be received by the eligible commission in connection with the event, the eligible major convention event costs, and evidence of satisfaction of the conditions of subsection 5 of this section.

3. (1) There is hereby created in the state treasury the "Major Economic Convention Event in Missouri Fund", which shall consist of moneys appropriated from the general revenue fund as prescribed in subsection 6 of this section and any gifts, contributions, grants, or bequests received from federal, private, or other sources. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. For major convention plans which have complied with subsection 5 of this section, in addition to funds otherwise made available under Missouri law, a grant shall be paid from the fund by the department of economic development to the eligible commission at the requested date. Any transfer of a grant from the fund to the treasurer or other designated financial officer of an eligible commission with an approved major convention plan shall be deposited in a separate, segregated account of such commission. The eligible commission shall agree to hold such funds until the major convention event has occurred and not disburse the funds until such time as the report in subsection 7 has been submitted.

5. The director shall not disburse a grant until the director or his or her designee has approved a written major convention plan submitted to the department of economic development by an eligible commission requesting a grant. The director or his or her designee shall not approve any submitted major convention plan unless he or she finds that the following conditions have been met:

(1) The applicant submitting the major convention plan is an eligible commission;

(2) The projected start and end dates of the planned major convention event and the requested date of disbursement of the grant are no later than five years from the date of the application; and

(3) There is sufficient evidence that:

(a) The event shall qualify as a major convention event under this section including, but not limited to, evidence of the actual number of contracted advance hotel reservations or projected out-of-state attendance numbers and actual hotel room usage from comparable past events;

(b) A request for proposal or similar documentation demonstrates the applicant eligible commission is competing for the event against non-Missouri cities;

(c) Without the grant, the major convention event would not be reasonably anticipated to occur in Missouri; and

(d) The positive net fiscal impact to general revenue of the state through any and all taxes attributable to the major convention event exceeds the amount of the major convention grant.

In reviewing such evidence, the director shall take into account any expenditures by an attendee for sleeping rooms paid by guests of the hotels and motels typically constitutes less than fifty percent of the expenditures by such attendees at a major convention event.

6. (1) Upon verification that the major convention plan complies with the terms of subsection 5 of this section, the director or his or her designee shall issue a certificate of approval to the eligible commission stating the date on which such grant shall be disbursed and the total amount of the grant, which shall be equal to the eligible major convention event costs listed in the approved major convention plan. The amount of any grant shall not exceed more than fifty percent of the cost of hosting the major convention event, positive net fiscal impact to general revenue, or one million dollars, whichever is less.

(2) All approved grants scheduled for disbursement each year shall be disbursed from the general revenue fund subject to appropriation by the general assembly. Any such appropriation shall not exceed three million dollars in any year.

(3) Upon such annual appropriation and transfer into the fund from the general revenue fund, the director shall disburse all grants pursuant to certificates of approval.

7. (1) Within one hundred eighty days of the conclusion of any major convention event for which a grant was disbursed under this section, the eligible commission that received such grant shall provide a written report to the director detailing the final amount of eligible major convention event costs incurred and actual attendance figures which certify compliance with this section. If the final amount of total eligible major convention event costs is less than the amount of the grant disbursed to the eligible commission under an approved major convention plan, such commission shall refund to the state treasurer the excess greater than fifty percent of the actual cost for deposit into the fund.

(2) An eligible commission shall refund the following amounts to the state treasurer based on the actual attendance figures in relation to the projected total attendance for the event as provided in the major convention plan:

(a) If the actual attendance figure is less than twenty-five percent of the projected total attendance, the commission shall refund an amount equal to the full amount of the grant;

(b) If the actual attendance figure is equal to or less than eighty-five percent and greater than or equal to twenty-five percent of the projected total attendance, the commission shall keep a portion of the grant received under this section equal to the proportion of the actual attendance figure to the projected attendance figure rounded to the nearest dollar and refund the remaining amount;

(c) If the actual attendance figure is greater than eighty-five percent of the projected total attendance, the commission shall keep the entire grant amount received under this section unless otherwise provided by this section.

(3) The provisions of this subdivision shall not apply where attendance at the convention is adversely affected by a man-made disaster including, but not limited to, an uprising or other civil unrest or where attendance at the convention is adversely affected by a substantial inclement weather-related event.

8. Any amounts that are refunded from a grant under this section shall be returned to the major economic convention event in Missouri fund to be used for future grants.

9. In accordance with the provisions of sections 23.250 to 23.298 and unless otherwise authorized pursuant to section 23.253:

(1) The program authorized under the provisions of this section shall automatically sunset six years after August 28, ~~2016~~ **2022**; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal.

620.2020. PARTICIPATION PROCEDURES, DEPARTMENT DUTIES, QUALIFIED COMPANY OR QUALIFIED MILITARY PROJECT DUTIES — MAXIMUM TAX CREDITS ALLOWED, ALLOCATION

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

— PROHIBITED ACTS — REPORT, CONTENTS — RULEMAKING AUTHORITY — SUNSET DATE.

— 1. The department shall respond to a written request, by or on behalf of a qualified company or qualified military project, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. The department shall respond to a written request, by or on behalf of a qualified manufacturing company, for a proposed benefit award under the provisions of this program within fifteen business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company or qualified military project, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company or qualified military project that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. The department shall certify or reject the qualifying company's plan outlined in their notice of intent as satisfying good faith efforts made to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (24) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company or qualified military project receiving benefits under this program shall provide an annual report of the number of jobs, along with minority jobs created or retained, and such other information as may be required by the department to document the basis for program benefits available no later than ninety days prior to the end of the qualified company's or industrial development authority's tax year immediately following the tax year for which the benefits provided under the

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program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company or qualified military project has not maintained the employee insurance as required, if the department after a review determines the qualifying company fails to satisfy other aspects of their notice of intent, including failure to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, or if the number of jobs is below the number required, the qualified company or qualified military project shall not receive tax credits or retain the withholding tax for the balance of the project period. **If a statewide state of emergency exists for more than sixteen months, a qualified company or industrial development authority shall be entitled to a one-time suspension of program deadlines equal to the number of months such statewide state of emergency existed with any partial month rounded to the next whole. During such suspension, the qualified company or industrial development authority shall not be entitled to retain any withholding tax as calculated under subdivision (38) of section 620.2005 nor shall it earn any awarded tax credit or receive any tax credit under the program for the suspension period. The suspension period shall run consecutively and be available to a qualified company or industrial development authority that, during the statewide state of emergency, submitted notice of intent that was approved or that was in year one or a subsequent year of benefits under a program agreement with the department. The suspension period that runs consecutively and may be available to a qualified company or industrial development authority as provided in this subsection may apply retroactively. Any qualified company or industrial development authority requesting a suspension pursuant to this subsection shall submit notice to the department on its provided form identifying the requested start and end dates of the suspension, not to exceed the maximum number of months available under this subsection. Such notice shall be submitted to the department not later than the end of the twelfth month following the termination of the state of emergency. No suspension period shall start later than the date on which the state of emergency was terminated. The department and the qualified company or the industrial development authority shall enter into a program agreement or shall amend an existing program agreement, as applicable, stating the deadlines following the suspension period and updating the applicable wage requirements.** Failure to timely file the annual report required under this section ~~shall~~ **may** result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company or qualified military project during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs; provided that, tax credits awarded under subsection 7 of section 620.2010 may be issued following the qualified company's acceptance of the department's proposal and pursuant to the requirements set forth in the written agreement between the department and the qualified company under subsection 4 of section 620.2010.

5. Any qualified company or qualified military project approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified

company or qualified military project approved for benefits under this program shall be subject to the provisions of sections 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. (1) The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 14 of this section:

(a) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred six million dollars in tax credits may be authorized;

(b) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred eleven million dollars in tax credits may be authorized;

(c) For fiscal years beginning on or after July 1, 2015, but ending on or before June 30, 2020, no more than one hundred sixteen million dollars in tax credits may be authorized for each fiscal year; and

(d) For all fiscal years beginning on or after July 1, 2020, no more than one hundred six million dollars in tax credits may be authorized for each fiscal year. The provisions of this paragraph shall not apply to tax credits issued to qualified companies under a notice of intent filed prior to July 1, 2020.

(2) For all fiscal years beginning on or after July 1, 2020, in addition to the amount of tax credits that may be authorized under paragraph (d) of subdivision (1) of this subsection, an additional ten million dollars in tax credits may be authorized for each fiscal year for the purpose of the completion of infrastructure projects directly connected with the creation or retention of jobs under the provisions of sections 620.2000 to 620.2020 and an additional ten million dollars in tax credits may be authorized for each fiscal year for a qualified manufacturing company based on a manufacturing capital investment as set forth in section 620.2010.

8. For all fiscal years beginning on or after July 1, 2020, the maximum total amount of withholding tax that may be authorized for retention for the creation of new jobs under the provisions of sections 620.2000 to 620.2020 by qualified companies with a project facility base employment of at least fifty shall not exceed seventy-five million dollars for each fiscal year. The provisions of this subsection shall not apply to withholding tax authorized for retention for the creation of new jobs by qualified companies with a project facility base employment of less than fifty.

9. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company or qualified military project under this program; provided that, the department may reserve up to twenty-one and one-half percent of the maximum annual amount of tax credits that may be authorized under subsection 7 of this section for award under subsection 7 of section 620.2010. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department or, for qualified military projects, annual verification of average salary for the jobs directly created by the qualified military project. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company or qualified military project meets the applicable minimum new job requirements or, for benefits awarded under subsection 7 of section 620.2010, until the qualified company has satisfied the requirements set forth in the written agreement between the department and the qualified company under subsection 4 of section 620.2010. In the event the qualified company or qualified military project does not meet the applicable

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minimum new job requirements, the qualified company or qualified military project may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company or qualified military project at the project facility or other facilities.

10. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

11. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of commerce and insurance that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of commerce and insurance, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

12. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

13. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

14. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

15. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

16. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

17. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

18. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under sections 620.2000 to 620.2020 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset.

Approved June 30, 2022

HB 2416

Enacts provisions relating to motor vehicle dealers.

AN ACT to repeal section 301.566, RSMo, and to enact in lieu thereof one new section relating to motor vehicle dealers.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION

A Enacting clause.

301.566 Motor vehicle sales or shows held away from registered place of business, allowed, when — off-site retail sale of vehicles, when — recreational vehicle dealer participation in off-premise events, recreational vehicle shows and vehicle exhibitions — out-of-state participants — violation, penalty.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 301.566, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.566, to read as follows:

301.566. MOTOR VEHICLE SALES OR SHOWS HELD AWAY FROM REGISTERED PLACE OF BUSINESS, ALLOWED, WHEN — OFF-SITE RETAIL SALE OF VEHICLES, WHEN — RECREATIONAL VEHICLE DEALER PARTICIPATION IN OFF-PREMISE EVENTS, RECREATIONAL VEHICLE SHOWS AND VEHICLE EXHIBITIONS — OUT-OF-STATE PARTICIPANTS — VIOLATION, PENALTY. — 1. Except as provided in this section, it shall be unlawful for a motor vehicle dealer to sell or offer to sell any motor vehicle away from the dealer's registered place of business. **It shall not be a violation of this section for a motor vehicle dealer to deliver a motor vehicle to a customer for a test drive away from the dealer's registered place of business; deliver documents to a customer to sign away from the dealer's registered place of business; deliver documents to, or obtain documents from, a customer away from the dealer's registered place of business; or deliver a motor vehicle to a customer away from the dealer's registered place of business.**

2. The sale of vehicles at off-site sales shall be limited to sales by a seller of vehicles used and titled solely in its ordinary course of business, and such sales shall be held in conjunction with a credit union and limited to members of the credit union, thus constituting a private sale to be advertised to members only.

3. Off-site sales by a seller of vehicles used and titled solely in its ordinary course of business may also be held in conjunction with other financial institutions provided that any such sale event shall be held on the premises of the financial institution, and sales shall be limited to persons who were customers of the financial institution prior to the date of the sale event. Off-site sales held with such other financial institutions shall be limited to one sale per year per institution.

4. A motor vehicle dealer may participate in up to two off-premise motor vehicle shows or sales annually and conduct sales of motor vehicles away from the dealer's registered place of business, which for purposes of this section shall be considered off-premise events provided the following:

(1) The off-premise event shall be conducted for not more than five consecutive days;

(2) The off-premise event shall not require any motor vehicle dealer participant to pay an unreasonably prohibitive participation fee:

(a) Participation fees may include those costs reasonably necessary for the off-premise event such as rental of real property and provision of insurance coverage;

(b) If a participation fee is required, the fee shall be the same for all motor vehicle dealers participating in the event, but in no event shall any participation fee exceed five hundred dollars per participant;

(3) A majority of motor vehicle dealers within a class of dealers described in subsection 3 of section 301.550 that are located within the city or town in which the off-premise event is situated participate in the event or are notified via mail or electronic means and have the opportunity to participate in the event;

(4) A majority of motor vehicle dealers within a class of dealers described in subsection 3 of section 301.550 that are located within a ten-mile radius of the location of the off-premise event participate in the event or are notified via mail or electronic means and have the opportunity to participate in the event;

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(5) Notices provided pursuant to subdivisions (3) and (4) of this subsection shall be provided not less than forty-five days before the off-premise event is to take place and invited dealers shall be given at least five business days to respond to the notice;

(6) The organizer of the off-premise event shall provide a copy of the notices issued pursuant to subdivisions (3) and (4) of this subsection to the director at the time they are mailed or electronically transmitted to the prospective participants; and

(7) No motor vehicle dealer shall participate in any off-premise event that is more than ten miles from its licensed location.

5. Provided the requirements of this section are met, the department shall consider such events to be proper in all respects and as if each dealer participant was conducting business at the dealer's usual business location. Nothing contained in this section shall be construed as applying to the sale of motor vehicles or trailers through either a wholesale motor vehicle auction or public motor vehicle auction. A recreational motor vehicle dealer, as classified by subdivision (5) of subsection 3 of section 301.550, may participate in an off-premise event even if a majority of recreational motor vehicle dealers in a city or town do not participate in the event.

6. A recreational vehicle dealer, as that term is defined in section 700.010, who is licensed in another state may participate in recreational vehicle shows or exhibits with recreational vehicles within this state in which less than fifty dealers participate as exhibitors with permission of the dealer's licensed manufacturer if all of the following conditions exist:

(1) The show or exhibition has a minimum of ten recreational vehicle dealers licensed as motor vehicle dealers in this state;

(2) More than fifty percent of the participating recreational vehicle dealers are licensed motor vehicle dealers in this state; and

(3) The state in which the recreational vehicle is licensed is a state contiguous to Missouri and the state permits recreational vehicle dealers licensed in Missouri to participate in recreational vehicle shows in such state pursuant to conditions substantially equivalent to the conditions which are imposed on dealers from such state who participate in recreational vehicle shows in Missouri.

7. A recreational vehicle dealer licensed in another state may participate in a vehicle show or exhibition in Missouri which has, when it opens to the public, at least fifty dealers displaying recreational vehicles if the show or exhibition is trade-oriented and is predominantly funded by recreational vehicle manufacturers. All of the participating dealers who are not licensed in Missouri shall be licensed as recreational vehicle dealers by the state of their residence.

8. A recreational vehicle dealer licensed in another state who intends to participate in a vehicle show or exhibition in this state shall send written notification of such intended participation to the department of revenue at least thirty days prior to the vehicle show or exhibition. Upon receipt of such written notification, the department of revenue shall make a determination regarding compliance with the provisions of this section. If such recreational vehicle dealer would be unable to participate in the vehicle show or exhibition in this state pursuant to this section, the department of revenue shall notify the recreational vehicle dealer at least fifteen days prior to the vehicle show or exhibition of the inability to participate in the vehicle show or exhibition in this state.

9. The department may assess a fine of up to one thousand dollars for the off-premise sale or display of any motor vehicle in violation of this section.

Approved June 7, 2022

SS SCS HCS HB 2485

Enacts provisions relating to environmental regulation.

AN ACT to repeal sections 260.200, 260.205, 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof eight new sections relating to environmental regulation.

SECTION

- A Enacting clause.
- 260.200 Definitions.
- 260.205 Permit required to operate facility, and construction permit to construct facility, requirements, exceptions, fees — plans to be submitted — permits revoked or suspended, when — disclosure statement, requirements.
- 260.221 Processed recycled asphalt shingles — definitions — use without permit, when.
- 260.373 Rulemaking authority, limitations on — identification of inconsistent rules.
- 260.437 Rules and regulations, authority.
- 260.520 Rules and regulations — procedure.
- 640.095 Penalties, imposition of — department duties, procedure.
- 644.060 Processed recycled asphalt shingles — use without permit, when.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 260.200, 260.205, 260.373, 260.437, and 260.520, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 260.200, 260.205, 260.221, 260.373, 260.437, 260.520, 640.095, and 644.060, to read as follows:

260.200. DEFINITIONS. — 1. The following words and phrases when used in sections 260.200 to 260.345 shall mean:

(1) **"Advanced recycling"**, a set of manufacturing processes for the conversion of recovered post-use polymers such as plastics into plastic and chemical feedstocks, raw materials, and recycled plastics for reuse through processes that include pyrolysis, gasification, depolymerization, catalytic cracking, reforming, hydrogenation, solvolysis, and other similar technologies. **"Advanced recycling"** does not include solid waste disposal, solid waste processing, solid waste management, or incineration;

(2) **"Advanced recycling facility"**, a manufacturing facility that receives, stores, and converts recovered post-use polymers using advanced recycling to produce plastics and chemical feedstocks, raw materials, and recycled plastics. **"Advanced recycling facility"** does not include solid waste disposal areas, solid waste processing facilities, solid waste management facilities, or incinerators. Advanced recycling facilities are subject to all applicable laws and regulations for manufacturers;

(3) **"Alkaline-manganese battery"** or **"alkaline battery"**, a battery having a manganese dioxide positive electrode, a zinc negative electrode, an alkaline electrolyte, including alkaline-manganese button cell batteries intended for use in watches, calculators, and other electronic products, and larger-sized alkaline-manganese batteries in general household use;

~~[(2)]~~ (4) **"Applicant"**, a person or persons seeking or holding a facility permit;

~~[(3)]~~ (5) **"Bioreactor"**, a municipal solid waste disposal area or portion of a municipal solid waste disposal area where the controlled addition of liquid waste or water accelerates both the decomposition of waste and landfill gas generation;

~~[(4)]~~ (6) **"Button cell battery"** or **"button cell"**, any small alkaline-manganese or mercuric-oxide battery having the size and shape of a button;

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~~[(5)]~~ (7) "City", any incorporated city, town, or village;

~~[(6)]~~ (8) "Clean fill", uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the department for fill, reclamation or other beneficial use;

~~[(7)]~~ (9) "Closure", the permanent cessation of active disposal operations, abandonment of the disposal area, revocation of the permit or filling with waste of all areas and volumes specified in the permit and preparing the area for long-term care;

~~[(8)]~~ (10) "Closure plan", plans, designs and relevant data which specify the methods and schedule by which the operator will complete or cease disposal operations, prepare the area for long-term care, and make the area suitable for other uses, to achieve the purposes of sections 260.200 to 260.345 and the regulations promulgated thereunder;

~~[(9)]~~ (11) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

~~[(10)]~~ (12) "Construction and demolition waste", waste materials from the construction and demolition of residential, industrial, or commercial structures, but shall not include materials defined as clean fill under this section;

~~[(11)]~~ (13) "Demolition landfill", a solid waste disposal area used for the controlled disposal of demolition wastes, construction materials, brush, wood wastes, soil, rock, concrete and inert solids insoluble in water;

~~[(12)]~~ (14) "Department", the department of natural resources;

~~[(13)]~~ (15) **"Depolymerization", a manufacturing process in which post-use polymers are broken into smaller molecules such as monomers and plastic and chemical feedstocks or products;**

(16) "Director", the director of the department of natural resources;

~~[(14)]~~ (17) "Disclosure statement", a sworn statement or affirmation, in such form as may be required by the director of the department of natural resources, which includes:

(a) The full names and business address of key personnel;

(b) The full name and business address of any entity, other than a natural person, that collects, transfers, processes, treats, stores, or disposes of solid waste in which all key personnel holds an equity interest of seven percent or more;

(c) A description of the business experience of all key personnel listed in the disclosure statement;

(d) For the five-year period ending on the date the sworn disclosure statement or affirmation is signed by key personnel:

a. A listing organized by issuing federal, state, or county or county-equivalent regulatory body of all environmental permits or licenses for the collection, transfer, treatment, processing, storage, or disposal of solid waste issued to or held by any key personnel;

b. A listing and explanation of notices of violation which shall by rule be defined, prosecutions, or other administrative enforcement actions resulting in an adjudication or conviction;

c. A listing of license or permit suspensions, revocations, or denials issued by any state, the federal government or a county or county equivalent, which are pending or have concluded with a finding of violation or entry of a consent agreement regarding an allegation of civil or criminal violation of law, regulation or requirement relating to the collection, transfer, treatment, processing, storage, or disposal of solid waste or violation of the environmental statutes of other states or federal statutes;

d. An itemized list of all felony convictions under the laws of the state of Missouri or the equivalent thereof under the laws of any other jurisdiction; and a listing of any findings of guilt for any crimes or

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criminal acts an element of which involves restraint of trade, price-fixing, intimidation of the customers of another person or for engaging in any other acts which may have the effect of restraining or limiting competition concerning activities regulated pursuant to this chapter or similar laws of other states or the federal government including, but not limited to, racketeering or violation of antitrust laws of any key personnel;

~~[(15)]~~ (18) "District", a solid waste management district established under section 260.305;

~~[(16)]~~ (19) "Financial assurance instrument", an instrument or instruments, including, but not limited to, cash or surety bond, letters of credit, corporate guarantee or secured trust fund, submitted by the applicant to ensure proper closure and postclosure care and corrective action of a solid waste disposal area in the event that the operator fails to correctly perform closure and postclosure care and corrective action requirements, except that the financial test for the corporate guarantee shall not exceed one and one-half times the estimated cost of closure and postclosure. The form and content of the financial assurance instrument shall meet or exceed the requirements of the department. The instrument shall be reviewed and approved or disapproved by the attorney general;

~~[(17)]~~ (20) "Flood area", any area inundated by the one hundred year flood event, or the flood event with a one percent chance of occurring in any given year;

~~[(18)]~~ (21) **"Gasification", a manufacturing process through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted into reuseable plastic and chemical feedstocks or products;**

(22) "Household consumer", an individual who generates used motor oil through the maintenance of the individual's personal motor vehicle, vessel, airplane, or other machinery powered by an internal combustion engine;

~~[(19)]~~ (23) "Household consumer used motor oil collection center", any site or facility that accepts or aggregates and stores used motor oil collected only from household consumers or farmers who generate an average of twenty-five gallons per month or less of used motor oil in a calendar year. This section shall not preclude a commercial generator from operating a household consumer used motor oil collection center;

~~[(20)]~~ (24) "Household consumer used motor oil collection system", any used motor oil collection center at publicly owned facilities or private locations, any curbside collection of household consumer used motor oil, or any other household consumer used motor oil collection program determined by the department to further the purposes of sections 260.200 to 260.345;

~~[(21)]~~ (25) "Infectious waste", waste in quantities and characteristics as determined by the department by rule, including isolation wastes, cultures and stocks of etiologic agents, blood and blood products, pathological wastes, other wastes from surgery and autopsy, contaminated laboratory wastes, sharps, dialysis unit wastes, discarded biologicals known or suspected to be infectious; provided, however, that infectious waste does not mean waste treated to department specifications;

~~[(22)]~~ (26) "Key personnel", the applicant itself and any person employed by the applicant in a managerial capacity, or empowered to make discretionary decisions with respect to the solid waste operations of the applicant in Missouri, but shall not include employees exclusively engaged in the physical or mechanical collection, transfer, transportation, treatment, processing, storage, or disposal of solid waste and such other employees as the director of the department of natural resources may designate by regulation. If the applicant has not previously conducted solid waste operations in Missouri, the term also includes any officer, director, partner of the applicant, or any holder of seven percent or more of the equity or debt of the applicant. If any holder of seven percent or more of the equity or debt of the applicant or of any key personnel is not a natural person, the term includes all key personnel of that entity, provided that where such entity is a chartered lending institution or a reporting company under the federal Securities Exchange Act of 1934, the term does not include key personnel of such entity. Provided further that the term means the chief executive officer of any agency of the United States or of any agency or political subdivision of the state of Missouri, and all key personnel of

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any person, other than a natural person, that operates a landfill or other facility for the collection, transfer, treatment, processing, storage, or disposal of nonhazardous solid waste under contract with or for one of those governmental entities;

~~[(23)]~~ (27) "Lead-acid battery", a battery designed to contain lead and sulfuric acid with a nominal voltage of at least six volts and of the type intended for use in motor vehicles and watercraft;

~~[(24)]~~ (28) "Major appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, woodstoves, air conditioners, refrigerators and freezers;

(29) "Mechanical processing", any mechanical, manual, or other method that transforms a recoverable material into a specification-grade commodity. Mechanical processing is often multi-step with different steps at different locations and involves recycling that is a series of activities that may include collection, processing, or brokering and shall result in subsequent consumption by a materials manufacturer;

~~[(25)]~~ (30) "Mercuric-oxide battery" or "mercury battery", a battery having a mercuric-oxide positive electrode, a zinc negative electrode, and an alkaline electrolyte, including mercuric-oxide button cell batteries generally intended for use in hearing aids and larger size mercuric-oxide batteries used primarily in medical equipment;

(31) "Mill scale and slag", coproducts of the steel manufacturing process that are managed, used, or placed as items of value in a controlled manner but do not include by-products that are a result of the steel manufacturing process that would otherwise qualify as hazardous waste;

~~[(26)]~~ (32) "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

~~[(27)]~~ (33) "Motor oil", any oil intended for use in a motor vehicle, as defined in section 301.010, train, vessel, airplane, heavy equipment, or other machinery powered by an internal combustion engine;

~~[(28)]~~ (34) "Motor vehicle", as defined in section 301.010;

~~[(29)]~~ (35) "Operator" and "permittee", anyone so designated, and shall include cities, counties, other political subdivisions, authority, state agency or institution, or federal agency or institution;

~~[(30)]~~ (36) "Permit modification", any permit issued by the department which alters or modifies the provisions of an existing permit previously issued by the department;

~~[(31)]~~ (37) "Person", any individual, partnership, limited liability company, corporation, association, trust, institution, city, county, other political subdivision, authority, state agency or institution, or federal agency or institution, or any other legal entity;

~~[(32)]~~ (38) "Plasma arc technology", a process that converts electrical energy into thermal energy. This electric arc is created when an ionized gas transfers electric power between two or more electrodes;

~~[(33)]~~ (39) "Postclosure plan", plans, designs and relevant data which specify the methods and schedule by which the operator shall perform necessary monitoring and care for the area after closure to achieve the purposes of sections 260.200 to 260.345 and the regulations promulgated thereunder;

(40) "Post-use polymer", a plastic polymer to which all of the following apply:

(a) It is derived from any industrial, commercial, agricultural, or household activities;

(b) The plastic's use or intended use is as a feedstock for the manufacturing of other feedstocks, raw materials, recycled plastics, or intermediate products or final products using advanced recycling;

(c) The plastic has been presorted or diverted from solid waste and other regulated waste but may contain residual amounts of solid waste such as organic material and incidental contaminants or impurities such as paper labels and metal rings; and

(d) The plastic is converted at an advanced recycling facility or held at such facility prior to conversion;

(41) "Pyrolysis", a manufacturing process through which post-use polymers are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted into reuseable plastic and chemical feedstocks or raw constituents to be used for manufacturing of new products;

(42) "Recovered feedstock", one or more of the following materials that has been processed so that it may be used as input feedstock in an advanced recycling facility, excluding municipal solid waste or feedstocks mixed with solid waste or hazardous waste:

(a) Post-use polymers that are source-separated or have been recovered or diverted from a waste stream for reuse; or

(b) Materials for which the United States Environmental Protection Agency has made a nonwaste determination or has otherwise determined are feedstocks and not solid waste;

~~[(34)]~~ (43) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse or recycling, whether or not they require subsequent separation and processing;

~~[(35)]~~ (44) "Recycled content", ~~[the proportion of fiber in a newspaper which is derived from postconsumer waste]~~ any raw product used as a constituent for the manufacturing of new products that is generated as a result from mechanical processing or advanced recycling shall be considered recycled content. "Recycled content" includes, but is not limited to, the proportion of fiber in a newspaper that is derived from postconsumer waste and recycled plastics as defined in this section;

(45) "Recycled plastics", plastics produced from mechanical recycling using preconsumer recovered materials and postconsumer materials or from advanced recycling feedstocks or advanced recycling products via mass balance attribution certified under an approved certification system. "Recycled plastics" shall be considered "recycled content" as defined in this section;

~~[(36)]~~ (46) "Recycling", the separation and reuse of materials which might otherwise be disposed of as solid waste;

~~[(37)]~~ (47) "Resource recovery", a process by which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture;

~~[(38)]~~ (48) "Resource recovery facility", a facility in which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture;

~~[(39)]~~ (49) "Sanitary landfill", a solid waste disposal area which accepts commercial and residential solid waste;

~~[(40)]~~ (50) "Scrap tire", a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect;

~~[(41)]~~ (51) "Scrap tire collection center", a site where scrap tires are collected prior to being offered for recycling or processing and where fewer than five hundred tires are kept on site on any given day;

~~[(42)]~~ (52) "Scrap tire end-user facility", a site where scrap tires are used as a fuel or fuel supplement or converted into a usable product. Baled or compressed tires used in structures, or used at recreational facilities, or used for flood or erosion control shall be considered an end use;

~~[(43)]~~ (53) "Scrap tire generator", a person who sells tires at retail or any other person, firm, corporation, or government entity that generates scrap tires;

~~[(44)]~~ (54) "Scrap tire processing facility", a site where tires are reduced in volume by shredding, cutting, or chipping or otherwise altered to facilitate recycling, resource recovery, or disposal;

~~[(45)]~~ (55) "Scrap tire site", a site at which five hundred or more scrap tires are accumulated, but not including a site owned or operated by a scrap tire end-user that burns scrap tires for the generation of energy or converts scrap tires to a useful product;

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~~[(46)]~~ **(56)** "Solid waste", garbage, refuse and other discarded materials including, but not limited to, solid and semisolid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include hazardous waste as defined in sections 260.360 to 260.432, recovered materials, **post-use polymers, recovered feedstocks**, overburden, rock, tailings, matte, **mill scale and** slag or other waste material resulting from mining, milling or smelting;

~~[(47)]~~ **(57)** "Solid waste disposal area", any area used for the disposal of solid waste from more than one residential premises, or one or more commercial, industrial, manufacturing, recreational, or governmental operations;

~~[(48)]~~ **(58)** "Solid waste fee", a fee imposed pursuant to sections 260.200 to 260.345 and may be:

(a) A solid waste collection fee imposed at the point of waste collection; or

(b) A solid waste disposal fee imposed at the disposal site;

~~[(49)]~~ **(59)** "Solid waste management area", a solid waste disposal area which also includes one or more of the functions contained in the definitions of recycling, resource recovery facility, waste tire collection center, waste tire processing facility, waste tire site or solid waste processing facility, excluding incineration;

~~[(50)]~~ **(60)** "Solid waste management project", a targeted project that meets statewide waste reduction and recycling priorities, and for which no solid waste management district grant applicant has applied to perform, and for which no qualified applicants have applied to perform such project by a competitive bid issued by the solid waste management district for the completion of such project;

~~[(51)]~~ **(61)** "Solid waste management system", the entire process of managing solid waste in a manner which minimizes the generation and subsequent disposal of solid waste, including waste reduction, source separation, collection, storage, transportation, recycling, resource recovery, volume minimization, processing, market development, and disposal of solid wastes;

~~[(52)]~~ **(62)** "Solid waste processing facility", any facility where solid wastes are salvaged and processed, including:

(a) A transfer station; or

(b) An incinerator which operates with or without energy recovery but excluding waste tire end-user facilities; or

(c) A material recovery facility which operates with or without composting;

(d) A plasma arc technology facility;

~~[(53)]~~ **(63)** "Solid waste technician", an individual who has successfully completed training in the practical aspects of the design, operation and maintenance of a permitted solid waste processing facility or solid waste disposal area in accordance with sections 260.200 to 260.345;

~~[(54)]~~ **(64)** "Solvolysis", **a manufacturing process through which post-use polymers are purified with the aid of solvents while heated at low temperatures or pressurized, or both, to make reusable plastic and chemical feedstocks or products, allowing additives and contaminants to be removed. The process includes, but is not limited to, hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis;**

(65) "Tire", a continuous solid or pneumatic rubber covering encircling the wheel of any self-propelled vehicle not operated exclusively upon tracks, or a trailer as defined in chapter 301, except farm tractors and farm implements owned and operated by a family farm or family farm corporation as defined in section 350.010;

~~[(55)]~~ **(66)** "Used motor oil", any motor oil which, as a result of use, becomes unsuitable for its original purpose due to loss of original properties or the presence of impurities, but used motor oil shall not include ethylene glycol, oils used for solvent purposes, oil filters that have been drained of free flowing used oil, oily waste, oil recovered from oil tank cleaning operations, oil spilled to land or water, or industrial nonlube oils such as hydraulic oils, transmission oils, quenching oils, and transformer oils;

~~[(56)]~~ (67) "Utility waste landfill", a solid waste disposal area used for fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;

~~[(57)]~~ (68) "Yard waste", leaves, grass clippings, yard and garden vegetation and Christmas trees. The term does not include stumps, roots or shrubs with intact root balls.

2. For the purposes of this section and sections 260.270 to 260.279 and any rules in place as of August 28, 2005, or promulgated under said sections, the term "scrap" shall be used synonymously with and in place of waste, as it applies only to scrap tires.

260.205. PERMIT REQUIRED TO OPERATE FACILITY, AND CONSTRUCTION PERMIT TO CONSTRUCT FACILITY, REQUIREMENTS, EXCEPTIONS, FEES — PLANS TO BE SUBMITTED — PERMITS REVOKED OR SUSPENDED, WHEN — DISCLOSURE STATEMENT, REQUIREMENTS. —

1. It shall be unlawful for any person to operate a solid waste processing facility or solid waste disposal area of a solid waste management system without first obtaining an operating permit from the department. It shall be unlawful for any person to construct a solid waste processing facility or solid waste disposal area without first obtaining a construction permit from the department pursuant to this section. A current authorization to operate issued by the department pursuant to sections 260.200 to 260.345 shall be considered to be a permit to operate for purposes of this section for all solid waste disposal areas and processing facilities existing on August 28, 1995. A permit shall not be issued for a sanitary landfill to be located in a flood area, as determined by the department, where flood waters are likely to significantly erode final cover. A permit shall not be required to operate a waste stabilization lagoon, settling pond or other water treatment facility which has a valid permit from the Missouri clean water commission even though the facility may receive solid or semisolid waste materials.

2. No person or operator may apply for or obtain a permit to construct a solid waste disposal area unless the person has requested the department to conduct a preliminary site investigation and obtained preliminary approval from the department. The department shall, within sixty days of such request, conduct a preliminary investigation and approve or disapprove the site.

3. All proposed solid waste disposal areas for which a preliminary site investigation request pursuant to subsection 2 of this section is received by the department on or after August 28, 1999, shall be subject to a public involvement activity as part of the permit application process. The activity shall consist of the following:

(1) The applicant shall notify the public of the preliminary site investigation approval within thirty days after the receipt of such approval. Such public notification shall be by certified mail to the governing body of the county or city in which the proposed disposal area is to be located and by certified mail to the solid waste management district in which the proposed disposal area is to be located;

(2) Within ninety days after the preliminary site investigation approval, the department shall conduct a public awareness session in the county in which the proposed disposal area is to be located. The department shall provide public notice of such session by both printed and broadcast media at least thirty days prior to such session. Printed notification shall include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located. The intent of such public awareness session shall be to provide general information to interested citizens on the design and operation of solid waste disposal areas;

(3) At least sixty days prior to the submission to the department of a report on the results of a detailed site investigation pursuant to subsection 4 of this section, the applicant shall conduct a community involvement session in the county in which the proposed disposal area is to be located. Department staff shall attend any such session. The applicant shall provide public notice of such session by both printed and broadcast media at least thirty days prior to such session. Printed notification shall

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include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located. Such public notices shall include the addresses of the applicant and the department and information on a public comment period. Such public comment period shall begin on the day of the community involvement session and continue for at least thirty days after such session. The applicant shall respond to all persons submitting comments during the public comment period no more than thirty days after the receipt of such comments;

(4) If a proposed solid waste disposal area is to be located in a county or city that has local planning and zoning requirements, the applicant shall not be required to conduct a community involvement session if the following conditions are met:

(a) The local planning and zoning requirements include a public meeting;

(b) The applicant notifies the department of intent to utilize such meeting in lieu of the community involvement session at least thirty days prior to such meeting;

(c) The requirements of such meeting include providing public notice by printed or broadcast media at least thirty days prior to such meeting;

(d) Such meeting is held at least thirty days prior to the submission to the department of a report on the results of a detailed site investigation pursuant to subsection 4 of this section;

(e) The applicant submits to the department a record of such meeting;

(f) A public comment period begins on the day of such meeting and continues for at least fourteen days after such meeting, and the applicant responds to all persons submitting comments during such public comment period no more than fourteen days after the receipt of such comments.

4. No person may apply for or obtain a permit to construct a solid waste disposal area unless the person has submitted to the department a plan for conducting a detailed surface and subsurface geologic and hydrologic investigation and has obtained geologic and hydrologic site approval from the department. The department shall approve or disapprove the plan within thirty days of receipt. The applicant shall conduct the investigation pursuant to the plan and submit the results to the department. The department shall provide approval or disapproval within sixty days of receipt of the investigation results.

5. (1) Every person desiring to construct a solid waste processing facility or solid waste disposal area shall make application for a permit on forms provided for this purpose by the department. Every applicant shall submit evidence of financial responsibility with the application. Any applicant who relies in part upon a parent corporation for this demonstration shall also submit evidence of financial responsibility for that corporation and any other subsidiary thereof.

(2) Every applicant shall provide a financial assurance instrument or instruments to the department prior to the granting of a construction permit for a solid waste disposal area. The financial assurance instrument or instruments shall be irrevocable, meet all requirements established by the department and shall not be cancelled, revoked, disbursed, released or allowed to terminate without the approval of the department. After the cessation of active operation of a sanitary landfill, or other solid waste disposal area as designed by the department, neither the guarantor nor the operator shall cancel, revoke or disburse the financial assurance instrument or allow the instrument to terminate until the operator is released from postclosure monitoring and care responsibilities pursuant to section 260.227.

(3) The applicant for a permit to construct a solid waste disposal area shall provide the department with plans, specifications, and such other data as may be necessary to comply with the purpose of sections 260.200 to 260.345. The application shall demonstrate compliance with all applicable local planning and zoning requirements. The department shall make an investigation of the solid waste disposal area and determine whether it complies with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345. Within twelve consecutive months of the receipt of an application for a construction permit the department shall approve or deny

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the application. The department shall issue rules and regulations establishing time limits for permit modifications and renewal of a permit for a solid waste disposal area. The time limit shall be consistent with this chapter.

(4) The applicant for a permit to construct a solid waste processing facility shall provide the department with plans, specifications and such other data as may be necessary to comply with the purpose of sections 260.200 to 260.345. Within one hundred eighty days of receipt of the application, the department shall determine whether it complies with the provisions of sections 260.200 to 260.345. Within twelve consecutive months of the receipt of an application for a permit to construct an incinerator as ~~defined~~ **described in the definition of "solid waste processing facility"** in section 260.200 or a material recovery facility as ~~defined~~ **described in the definition of "solid waste processing facility"** in section 260.200, and within six months for permit modifications, the department shall approve or deny the application. Permits issued for solid waste facilities shall be for the anticipated life of the facility.

(5) If the department fails to approve or deny an application for a permit or a permit modification within the time limits specified in subdivisions (3) and (4) of this subsection, the applicant may maintain an action in the circuit court of Cole County or that of the county in which the facility is located or is to be sited. The court shall order the department to show cause why it has not acted on the permit and the court may, upon the presentation of evidence satisfactory to the court, order the department to issue or deny such permit or permit modification. Permits for solid waste disposal areas, whether issued by the department or ordered to be issued by a court, shall be for the anticipated life of the facility.

(6) The applicant for a permit to construct a solid waste processing facility shall pay an application fee of one thousand dollars. Upon completion of the department's evaluation of the application, but before receiving a permit, the applicant shall reimburse the department for all reasonable costs incurred by the department up to a maximum of four thousand dollars. The applicant for a permit to construct a solid waste disposal area shall pay an application fee of two thousand dollars. Upon completion of the department's evaluations of the application, but before receiving a permit, the applicant shall reimburse the department for all reasonable costs incurred by the department up to a maximum of eight thousand dollars. Applicants who withdraw their application before the department completes its evaluation shall be required to reimburse the department for costs incurred in the evaluation. The department shall not collect the fees authorized in this subdivision unless it complies with the time limits established in this section.

(7) When the review reveals that the facility or area does conform with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall approve the application and shall issue a permit for the construction of each solid waste processing facility or solid waste disposal area as set forth in the application and with any permit terms and conditions which the department deems appropriate. In the event that the facility or area fails to meet the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the applicant stating the reason for denial of a permit.

6. Plans, designs, and relevant data for the construction of solid waste processing facilities and solid waste disposal areas shall be submitted to the department by a registered professional engineer licensed by the state of Missouri for approval prior to the construction, alteration or operation of such a facility or area.

7. Any person or operator as defined in section 260.200 who intends to obtain a construction permit in a solid waste management district with an approved solid waste management plan shall request a recommendation in support of the application from the executive board created in section 260.315. The executive board shall consider the impact of the proposal on, and the extent to which the proposal conforms to, the approved district solid waste management plan prepared pursuant to section 260.325. The executive board shall act upon the request for a recommendation within sixty days of receipt and shall submit a resolution to the department specifying its position and its recommendation regarding

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conformity of the application to the solid waste plan. The board's failure to submit a resolution constitutes recommendation of the application. The department may consider the application, regardless of the board's action thereon and may deny the construction permit if the application fails to meet the requirements of sections 260.200 to 260.345, or if the application is inconsistent with the district's solid waste management plan.

8. If the site proposed for a solid waste disposal area is not owned by the applicant, the owner or owners of the site shall acknowledge that an application pursuant to sections 260.200 to 260.345 is to be submitted by signature or signatures thereon. The department shall provide the owner with copies of all communication with the operator, including inspection reports and orders issued pursuant to section 260.230.

9. The department shall not issue a permit for the operation of a solid waste disposal area designed to serve a city with a population of greater than four hundred thousand located in more than one county, if the site is located within one-half mile of an adjoining municipality, without the approval of the governing body of such municipality. The governing body shall conduct a public hearing within fifteen days of notice, shall publicize the hearing in at least one newspaper having general circulation in the municipality, and shall vote to approve or disapprove the land disposal facility within thirty days after the close of the hearing.

10. (1) Upon receipt of an application for a permit to construct a solid waste processing facility or disposal area, the department shall notify the public of such receipt:

~~[(1)]~~ (a) By legal notice published in a newspaper of general circulation in the area of the proposed disposal area or processing facility;

~~[(2)]~~ (b) By certified mail to the governing body of the county or city in which the proposed disposal area or processing facility is to be located; and

~~[(3)]~~ (c) By mail to the last known address of all record owners of contiguous real property or real property located within one thousand feet of the proposed disposal area and, for a proposed processing facility, notice as provided in section 64.875 or section 89.060, whichever is applicable.

(2) If an application for a construction permit meets all statutory and regulatory requirements for issuance, a public hearing on the draft permit shall be held by the department in the county in which the proposed solid waste disposal area is to be located prior to the issuance of the permit. The department shall provide public notice of such hearing by both printed and broadcast media at least thirty days prior to such hearing. Printed notification shall include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located.

11. After the issuance of a construction permit for a solid waste disposal area, but prior to the beginning of disposal operations, the owner and the department shall execute an easement to allow the department, its agents or its contractors to enter the premises to complete work specified in the closure plan, or to monitor or maintain the site or to take remedial action during the postclosure period. After issuance of a construction permit for a solid waste disposal area, but prior to the beginning of disposal operations, the owner shall submit evidence that ~~he or she~~ **such owner** has recorded, in the office of the recorder of deeds in the county where the disposal area is located, a notice and covenant running with the land that the property has been permitted as a solid waste disposal area and prohibits use of the land in any manner which interferes with the closure and, where appropriate, postclosure plans filed with the department.

12. Every person desiring to obtain a permit to operate a solid waste disposal area or processing facility shall submit applicable information and apply for an operating permit from the department. The department shall review the information and determine, within sixty days of receipt, whether it complies with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345. When the review reveals that the facility or area does conform with the

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provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a permit for the operation of each solid waste processing facility or solid waste disposal area and with any permit terms and conditions which the department deems appropriate. In the event that the facility or area fails to meet the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the applicant stating the reason for denial of a permit.

13. Each solid waste disposal area, except utility waste landfills unless otherwise and to the extent required by the department, and those solid waste processing facilities designated by rule, shall be operated under the direction of a certified solid waste technician in accordance with sections 260.200 to 260.345 and the rules and regulations promulgated pursuant to sections 260.200 to 260.345.

14. Base data for the quality and quantity of groundwater in the solid waste disposal area shall be collected and submitted to the department prior to the operation of a new or expansion of an existing solid waste disposal area. Base data shall include a chemical analysis of groundwater drawn from the proposed solid waste disposal area.

15. Leachate collection and removal systems shall be incorporated into new or expanded sanitary landfills which are permitted after August 13, 1986. The department shall assess the need for a leachate collection system for all types of solid waste disposal areas, other than sanitary landfills, and the need for monitoring wells when it evaluates the application for all new or expanded solid waste disposal areas. The department may require an operator of a solid waste disposal area to install a leachate collection system before the beginning of disposal operations, at any time during disposal operations for unfilled portions of the area, or for any portion of the disposal area as a part of a remedial plan. The department may require the operator to install monitoring wells before the beginning of disposal operations or at any time during the operational life or postclosure care period if it concludes that conditions at the area warrant such monitoring. The operator of a demolition landfill or utility waste landfill shall not be required to install a leachate collection and removal system or monitoring wells unless otherwise and to the extent the department so requires based on hazardous waste characteristic criteria or site specific geohydrological characteristics or conditions.

16. Permits granted by the department, as provided in sections 260.200 to 260.345, shall be subject to suspension for a designated period of time, civil penalty or revocation whenever the department determines that the solid waste processing facility or solid waste disposal area is, or has been, operated in violation of sections 260.200 to 260.345 or the rules or regulations adopted pursuant to sections 260.200 to 260.345, or has been operated in violation of any permit terms and conditions, or is creating a public nuisance, health hazard, or environmental pollution. In the event a permit is suspended or revoked, the person named in the permit shall be fully informed as to the reasons for such action.

17. Each permit for operation of a facility or area shall be issued only to the person named in the application. Permits are transferable as a modification to the permit. An application to transfer ownership shall identify the proposed permittee. A disclosure statement for the proposed permittee listing violations contained in the definition of disclosure statement found in section 260.200 shall be submitted to the department. The operation and design plans for the facility or area shall be updated to provide compliance with the currently applicable law and rules. A financial assurance instrument in such an amount and form as prescribed by the department shall be provided for solid waste disposal areas by the proposed permittee prior to transfer of the permit. The financial assurance instrument of the original permittee shall not be released until the new permittee's financial assurance instrument has been approved by the department and the transfer of ownership is complete.

18. Those solid waste disposal areas permitted on January 1, 1996, shall, upon submission of a request for permit modification, be granted a solid waste management area operating permit if the request meets reasonable requirements set out by the department.

19. In case a permit required pursuant to this section is denied or revoked, the person may request a hearing in accordance with section 260.235.

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20. Every applicant for a permit shall file a disclosure statement with the information required by and on a form developed by the department of natural resources at the same time the application for a permit is filed with the department.

21. Upon request of the director of the department of natural resources, the applicant for a permit, any person that could reasonably be expected to be involved in management activities of the solid waste disposal area or solid waste processing facility, or any person who has a controlling interest in any permittee shall be required to submit to a criminal background check under section 43.543.

22. All persons required to file a disclosure statement shall provide any assistance or information requested by the director or by the Missouri state highway patrol and shall cooperate in any inquiry or investigation conducted by the department and any inquiry, investigation or hearing conducted by the director. If, upon issuance of a formal request to answer any inquiry or produce information, evidence or testimony, any person required to file a disclosure statement refuses to comply, the application of an applicant or the permit of a permittee may be denied or revoked by the director.

23. If any of the information required to be included in the disclosure statement changes, or if any additional information should be added after the filing of the statement, the person required to file it shall provide that information to the director in writing, within thirty days after the change or addition. The failure to provide such information within thirty days may constitute the basis for the revocation of or denial of an application for any permit issued or applied for in accordance with this section, but only if, prior to any such denial or revocation, the director notifies the applicant or permittee of the director's intention to do so and gives the applicant or permittee fourteen days from the date of the notice to explain why the information was not provided within the required thirty-day period. The director shall consider this information when determining whether to revoke, deny or conditionally grant the permit.

24. No person shall be required to submit the disclosure statement required by this section if the person is a corporation or an officer, director or shareholder of that corporation or any subsidiary thereof, and that corporation:

(1) Has on file and in effect with the federal Securities and Exchange Commission a registration statement required under Section 5, Chapter 38, Title 1 of the Securities Act of 1933, as amended, 15 U.S.C. Section 77e(c);

(2) Submits to the director with the application for a permit evidence of the registration described in subdivision (1) of this subsection and a copy of the corporation's most recent annual form 10-K or an equivalent report; and

(3) Submits to the director on the anniversary date of the issuance of any permit it holds under the Missouri solid waste management law evidence of registration described in subdivision (1) of this subsection and a copy of the corporation's most recent annual form 10-K or an equivalent report.

25. After permit issuance, each facility shall annually file an update to the disclosure statement with the department of natural resources on or before March thirty-first of each year. Failure to provide such update may result in penalties as provided for under section 260.240.

26. Any county, district, municipality, authority, or other political subdivision of this state which owns and operates a sanitary landfill shall be exempt from the requirement for the filing of the disclosure statement and annual update to the disclosure statement.

27. Any person seeking a permit to operate a solid waste disposal area, a solid waste processing facility, or a resource recovery facility shall, concurrently with the filing of the application for a permit, disclose any convictions in this state, county or county-equivalent public health or land use ordinances related to the management of solid waste. If the department finds that there has been a continuing pattern of adjudicated violations by the applicant, the department may deny the application.

28. No permit to construct or permit to operate shall be required pursuant to this section for any utility waste landfill located in a county of the third classification with a township form of government which has a population of at least eleven thousand inhabitants and no more than twelve thousand five hundred inhabitants according to the most recent decennial census, if such utility waste landfill complies

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Matter in bold-face type is proposed language.

with all design and operating standards and closure requirements applicable to utility waste landfills pursuant to sections 260.200 to 260.345 and provided that no waste disposed of at such utility waste landfill is considered hazardous waste pursuant to the Missouri hazardous waste law.

29. Advanced recycling facilities are not subject to the requirements of this section as long as the feedstocks received by such facility are source-separated or diverted or recovered from municipal or other waste streams prior to acceptance at the advanced recycling facility.

260.221. PROCESSED RECYCLED ASPHALT SHINGLES — DEFINITIONS — USE WITHOUT PERMIT, WHEN. — 1. As used in this section, the following terms mean:

(1) "Processed recycled asphalt shingles", recycled asphalt shingles that do not contain extraneous metals, glass, rubber, nails, soil, brick, tars, paper, wood, and plastics and that have been reduced in size to produce a commercially reasonable usable product. "Processed recycled asphalt shingles" shall also be considered clean fill, as such term is defined in section 260.200;

(2) "Recycled asphalt shingles", manufacture waste scrap shingles and post-consumer, tear-off scrap shingles that are accumulated as products for commercial purposes related to recycling or reuse as processed recycled asphalt shingles.

2. Processed recycled asphalt shingles may be used for fill, reclamation, and other beneficial purposes without a permit under sections 260.200 to 260.345 if such processed recycled asphalt shingles are inspected for toxic and hazardous substances in accordance with requirements established by the department of natural resources, provided that processed recycled asphalt shingles shall not be used for such purposes within five hundred feet of any lake, river, sink hole, perennial stream, or ephemeral stream, and shall not be used for such purposes below surface level and closer than fifty feet above the water table.

3. This section shall not be construed to authorize the abandonment, accumulation, placement, or storage of recycled asphalt shingles or processed recycled asphalt shingles on any real property without the consent of the real property owner.

260.373. RULEMAKING AUTHORITY, LIMITATIONS ON — IDENTIFICATION OF INCONSISTENT RULES. — 1. After August 28, 2012, the authority of the commission to promulgate rules under sections 260.350 to 260.391 and 260.393 to 260.433 is subject to the following:

(1) The commission shall not promulgate rules that are stricter than ~~or implement requirements~~, **apply prior to, or apply mandatory obligations outside of** the requirements of Title 40, U.S. Code of Federal Regulations, Parts 260, 261, 262, 264, 265, 268, and 270, as promulgated pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended;

(2) **The commission shall not implement requirements prior to the requirements of Title 40, U.S. Code of Federal Regulations, Parts 260, 261, 262, 264, 265, 268, and 270, as promulgated pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended;**

(3) Notwithstanding the limitations of ~~subdivision~~ **subdivisions (1) and (2)** of this subsection, where state statutes expressly prescribe standards or requirements that are stricter than or implement requirements prior to any federal requirements, or where state statutes allow the establishment or collection of fees, costs, or taxes, the commission may promulgate rules as necessary to implement such statutes;

~~(4)~~ **(4)** Notwithstanding the limitations of subdivision (1) of this subsection, the commission may retain, modify, or repeal any current rules pertaining to the following:

(a) ~~Thresholds for determining whether a hazardous waste generator is a large quantity generator, small quantity generator, or conditionally exempt small quantity generator;~~

~~(b)~~ Descriptions of applicable registration requirements; **and**

~~(c)~~ **(b)** The reporting of hazardous waste activities to the department; provided, however, that the commission shall promulgate rules, effective beginning with the reporting period July 1, ~~[2015]~~ **2017 -**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

June 30, [2016] **2018**, that allow for the submittal of reporting data in ~~[an electronic]~~ **any** format on an annual basis by large quantity generators and treatment storage and disposal facilities;

~~(d) Rules requiring hazardous waste generators to display hazard labels (e.g., Department of Transportation (DOT) labels) on containers and tanks during the time hazardous waste is stored on site;~~

~~(e) The exclusion for hazardous secondary materials used to make zinc fertilizers in 40 CFR 261.4; and~~

~~(f) The exclusions for hazardous secondary materials that are burned for fuel or that are recycled].~~

2. Nothing in this section shall be construed to repeal any other provision of law, and the commission and the department shall continue to have the authority to implement and enforce other statutes, and the rules promulgated pursuant to their authority.

3. ~~[No later than December 31, 2013, the department shall identify rules in Title 10, Missouri Code of State Regulations, Division 25, Chapters 3, 4, 5, and 7 that are inconsistent with the provisions of subsection 1 of this section. The department shall thereafter file with the Missouri secretary of state any amendments necessary to ensure that such rules are not inconsistent with the provisions of subsection 1 of this section.]~~ On December 31, [2015] **2017**, any rule contained in Title 10, Missouri Code of State Regulations, Division 25, Chapters 3, 4, 5, ~~[or]~~ **7, 9, and 11**, that ~~[remains]~~ **is** inconsistent with the provisions of subsection 1 above shall be null and void to the extent that it is inconsistent, **and the least stringent rule shall control. Any such rule that applies mandatory obligations outside of the requirements of Title 40, U.S. Code of Federal Regulations, Parts 260, 261, 262, 264, 265, 268, and 270, as promulgated pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended, shall be null and void. The department shall file with the Missouri secretary of state any amendments necessary to ensure that rules are not inconsistent with the provisions of subsection 1 of this section.**

4. Nothing in this section shall be construed to effectuate a modification of any permit. Upon request, the department shall modify as appropriate any permit containing requirements no longer in effect due to this section.

5. The department is prohibited from selectively excluding any rule or portion of a rule promulgated by the commission from any authorization application package, or program revision, submitted to the U.S. Environmental Protection Agency under Title 40, U.S. Code of Federal Regulations, Sections 271.5 or 271.21.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

260.437. RULES AND REGULATIONS, AUTHORITY. — 1. In addition to any other powers vested in it by law, the commission shall have the power to adopt, amend or repeal, after due notice and public hearing, standards, rules and regulations to implement sections 260.435 to ~~[260.480]~~ **260.482**.

2. Except as provided in sections 260.565 to 260.573, the commission shall not promulgate rules that are stricter than, apply prior to, or apply mandatory obligations outside of the requirements of Title 40, U.S. Code of Federal Regulations, Part 300, as promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.

3. The commission shall file with the Missouri secretary of state any amendments necessary to ensure that rules are not inconsistent with the provisions of this section. Any rule contained in the Missouri code of state regulations that is inconsistent with the provisions of this section shall be null and void to the extent that it is inconsistent, and the least stringent rule shall control. Any

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such rule that applies mandatory obligations outside of the requirements of Title 40, U.S. Code of Federal Regulations, Part 300, as promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, shall be null and void.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 260.435 to 260.482 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

260.520. RULES AND REGULATIONS — PROCEDURE. — 1. The director may adopt, amend, promulgate or repeal, after due notice and hearing, rules and regulations to implement sections 260.500 to ~~260.550~~ **260.552** pursuant to this section and chapter 536. No rule or portion of a rule promulgated under the authority of sections 260.500 to ~~260.550~~ **260.552** shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

2. Except as provided in sections 260.565 to 260.573, the director shall not promulgate rules that are stricter than, apply prior to, or apply mandatory obligations outside of the requirements of Title 40, U.S. Code of Federal Regulations, as promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.

3. The director shall file with the Missouri secretary of state any amendments necessary to ensure that rules are not inconsistent with the provisions of this section. Any rule contained in the Missouri code of state regulations that is inconsistent with the provisions of this section shall be null and void to the extent that it is inconsistent, and the least stringent rule shall control. Any such rule that applies mandatory obligations outside of the requirements of Title 40, U.S. Code of Federal Regulations, Part 300, as promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, shall be null and void.

640.095. PENALTIES, IMPOSITION OF — DEPARTMENT DUTIES, PROCEDURE. — In all instances where the department of natural resources has authority to issue penalties and determines that a penalty should be levied, the department shall provide in writing to the alleged violator, together with any claim or demand for a penalty, the factual basis for the violation and a copy of the rules or statutory provisions upon which the department relies for alleging a violation has occurred and determining the appropriate penalty, along with a statement of facts specifying each element of the violation and basis for the penalty, including how the department calculated the penalty, with particularity. This information shall be a complete record so that an alleged violator can understand the alleged violation, the applicability of the rules or statutory provisions, appropriateness of the penalty, and the accuracy of the calculation so that the alleged violator can respond properly to the department. Any statement provided by the department in compliance with this section shall be treated as confidential information and shall not be disclosed to any party except the alleged violator.

644.060. PROCESSED RECYCLED ASPHALT SHINGLES — USE WITHOUT PERMIT, WHEN. — 1. Processed recycled asphalt shingles, as defined in section 260.221, may be used for fill, reclamation, and other beneficial purposes without a permit under sections 644.006 to 644.141 if such processed recycled asphalt shingles are inspected for toxic and hazardous substances in accordance with requirements established by the department of natural resources, provided that processed recycled asphalt shingles shall not be used for such purposes within five hundred feet

of any lake, river, sink hole, perennial stream, or ephemeral stream, and shall not be used for such purposes below surface level and closer than fifty feet above the water table.

2. This section shall not be construed to authorize the abandonment, accumulation, placement, or storage of recycled asphalt shingles or processed recycled asphalt shingles on any real property without the consent of the real property owner.

Approved July 1, 2022

SS SCS HCS HB 2627

Enacts provisions relating to state designations.

AN ACT to repeal section 227.787, RSMo, and to enact in lieu thereof nineteen new sections relating to state designations.

SECTION

- A Enacting clause.
- 9.142 Constitution Day designated for January 31.
- 9.170 Historically Black College and University Week designated for third week of September.
- 9.236 Sickle Cell Awareness Week designated for third full week in September.
- 9.288 Hypoplastic Left Heart Syndrome Awareness Day designated for April 18.
- 9.289 Tardive Dyskinesia Awareness Week, first full week in May.
- 9.315 Pet Breeders Week designated for second full week in March.
- 9.340 Betty L. Thompson Day designated for December 3.
- 9.353 Black History Month designated for month of February.
- 9.356 Native American Heritage Month designated for month of November.
- 9.366 Problem Gambling Awareness Month designated for month of March.
- 227.775 Daniel Boone Highway designated for a portion of State Highway F in St. Charles County.
- 227.787 David Dorn Memorial Highway designated for a portion of I-70 in St. Louis City.
- 227.807 Senator Roy Blunt Bridge designated for U.S. Highway 54 bridge in Cole and Callaway counties.
- 227.809 Atomic Veterans Memorial Highway designated for portion of State Highway 171 in Jasper County.
- 227.816 Police Officer Tamarris Bohannon Memorial Bridge designated for bridge on I-44 in St. Louis City.
- 1 Phi Mu Alpha Week designated as first week of October.
- 2 Hydrocephalus Awareness Month designated as month of September.
- 3 Alpha Kappa Alpha Sorority Day designated as January fifteenth.
- 4 Ethel Hedgeman Lyle Day designated on February tenth.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 227.787, RSMo, is repealed and nineteen new sections enacted in lieu thereof, to be known as sections 9.142, 9.170, 9.236, 9.288, 9.289, 9.315, 9.340, 9.353, 9.356, 9.366, 227.775, 227.787, 227.807, 227.809, 227.816, 1, 2, 3, and 4, to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

9.142. CONSTITUTION DAY DESIGNATED FOR JANUARY 31. — January thirty-first of every year is hereby designated as "Constitution Day" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the enduring brilliance of our founding charter that established a system of checks and balances designed to preserve liberty, promote prosperity, and ensure the security of our beloved country.

9.170. HISTORICALLY BLACK COLLEGE AND UNIVERSITY WEEK DESIGNATED FOR THIRD WEEK OF SEPTEMBER. — The third week of September shall be known as "Historically Black College and University Week" in Missouri. The citizens of this state are encouraged to observe the week with appropriate events and activities recognizing the importance of historically black colleges and universities, especially Lincoln University and Harris-Stowe State University, the two historically black colleges and universities located in Missouri.

9.236. SICKLE CELL AWARENESS WEEK DESIGNATED FOR THIRD FULL WEEK IN SEPTEMBER. — The third full week in September of each year shall be known and designated as "Sickle Cell Awareness Week". Sickle cell disease is a genetic disease in which a person's body produces abnormally shaped red blood cells that resemble a crescent and that do not last as long as normal round red blood cells, which leads to anemia. It is recommended to the people of the state that the week be appropriately observed through activities that will increase awareness of sickle cell disease and efforts to improve treatment options for patients.

9.288. HYPOPLASTIC LEFT HEART SYNDROME AWARENESS DAY DESIGNATED FOR APRIL 18. — April eighteenth of each year shall be known and designated as "Hypoplastic Left Heart Syndrome Awareness Day". Hypoplastic left heart syndrome is a critical congenital heart defect that forms during the pregnancy when portions of the left side of the baby's heart remain underdeveloped or too small. It is recommended to the people of the state that the day be appropriately observed through activities that will increase awareness of hypoplastic left heart syndrome.

9.289. TARDIVE DYSKINESIA AWARENESS WEEK, FIRST FULL WEEK IN MAY. — 1. The first full week of May each year shall be known and designated as "Tardive Dyskinesia Awareness Week". Tardive dyskinesia is a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, trunk, and extremities. The citizens of this state are encouraged to observe the week with appropriate events and activities to raise awareness of tardive dyskinesia.

2. The provisions of this section shall expire on August 28, 2027.

9.315. PET BREEDERS WEEK DESIGNATED FOR SECOND FULL WEEK IN MARCH. — The second full week in March is hereby designated as "Pet Breeders Week" in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of ethical and responsible pet breeders throughout our state for the joy they bring to pet owners.

9.340. BETTY L. THOMPSON DAY DESIGNATED FOR DECEMBER 3. — December third each year is hereby designated as "Betty L. Thompson Day" in Missouri. Citizens of this state are encouraged to engage in appropriate events and activities to honor the life and work of Betty Thompson's contributions to the state of Missouri.

9.353. BLACK HISTORY MONTH DESIGNATED FOR MONTH OF FEBRUARY. — The month of February is hereby designated as "Black History Month" in Missouri. The citizens of this state

are encouraged to participate in appropriate events and activities to honor the struggles and triumphs of black Americans throughout the history of the United States.

9.356. NATIVE AMERICAN HERITAGE MONTH DESIGNATED FOR MONTH OF NOVEMBER. — The month of November is hereby designated as "Native American Heritage Month" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to honor the struggles and triumphs of Native Americans throughout the history of the United States.

9.366. PROBLEM GAMBLING AWARENESS MONTH DESIGNATED FOR MONTH OF MARCH. — The month of March is hereby designated as "Problem Gambling Awareness Month" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to increase public awareness of problem gambling and the availability of prevention, treatment, and recovery services.

227.775. DANIEL BOONE HIGHWAY DESIGNATED FOR A PORTION OF STATE HIGHWAY F IN ST. CHARLES COUNTY. — The portion of State Highway F from State Highway 94 continuing west to Femme Osage Creek Road in St. Charles County shall be designated as "Daniel Boone Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.787. DAVID DORN MEMORIAL HIGHWAY DESIGNATED FOR A PORTION OF I-70 IN ST. LOUIS CITY. — The portion of Interstate 70 from Shreve Road continuing to Kingshighway Boulevard shall be designated as "**Captain** David Dorn Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.807. SENATOR ROY BLUNT BRIDGE DESIGNATED FOR U.S. HIGHWAY 54 BRIDGE IN COLE AND CALLAWAY COUNTIES. — The bridge on U.S. Highway 54 crossing the Missouri River at Jefferson City in Cole and Callaway counties shall be designated the "Senator Roy Blunt Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.809. ATOMIC VETERANS MEMORIAL HIGHWAY DESIGNATED FOR PORTION OF STATE HIGHWAY 171 IN JASPER COUNTY. — The portion of State Highway 171 from State Highway Z continuing to State Highway 43 in Jasper County shall be designated the "Atomic Veterans Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donation.

227.816. POLICE OFFICER TAMARRIS BOHANNON MEMORIAL BRIDGE DESIGNATED FOR BRIDGE ON I-44 IN ST. LOUIS CITY. — The bridge on Interstate 44 crossing over Hampton Avenue in St. Louis City shall be designated as "Police Officer Tamarris Bohannon Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

SECTION 1. PHI MU ALPHA WEEK DESIGNATED AS FIRST WEEK OF OCTOBER. — The first week of October shall be known as "Phi Mu Alpha Week" in Missouri. The citizens of this state are encouraged to observe the week with appropriate events and activities recognizing the contributions made by members of Phi Mu Alpha in Missouri.

SECTION 2. HYDROCEPHALUS AWARENESS MONTH DESIGNATED AS MONTH OF SEPTEMBER. — The month of September is hereby designated as "Hydrocephalus Awareness Month" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities so that Missourians can become more familiar with hydrocephalus and the individuals dedicated to finding its cure.

SECTION 3. ALPHA KAPPA ALPHA SORORITY DAY DESIGNATED AS JANUARY FIFTEENTH. — January fifteenth of every year is hereby designated as "Alpha Kappa Alpha Sorority Day" in Missouri. Founded on January 15, 1908, at the historically black Howard University in Washington, D.C., Alpha Kappa Alpha is the first intercollegiate historically African-American sorority. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the contributions of Alpha Kappa Alpha.

SECTION 4. ETHEL HEDGEMAN LYLE DAY DESIGNATED ON FEBRUARY TENTH. — February tenth of every year is hereby designated as "Ethel Hedgeman Lyle Day" in Missouri. Born in St. Louis, Missouri, Ethel Hedgeman Lyle founded Alpha Kappa Alpha, the first intercollegiate historically African-American sorority. Citizens of this state are encouraged to participate in appropriate events and activities in recognition of the contributions of Ethel Hedgeman Lyle.

Approved July 1, 2022

HCS HB 2909

Enacts provisions relating to the composition of congressional districts, with an emergency clause.

AN ACT to repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof twelve new sections relating to the composition of congressional districts, with an emergency clause.

SECTION

- A Enacting clause.
- 128.345 Definitions.
- 128.346 Congressional districts for election of representatives to the U.S. Congress.
- 128.348 Congressional districts to be established.
- 128.461 First congressional district (2020 census).
- 128.462 Second congressional district (2020 census).
- 128.463 Third congressional district (2020 census).
- 128.464 Fourth congressional district (2020 census).
- 128.465 Fifth congressional district (2020 census).
- 128.466 Sixth congressional district (2020 census).
- 128.467 Seventh congressional district (2020 census).
- 128.468 Eighth congressional district (2020 census).
- 128.469 Geographical map of official congressional district boundaries to be published.
- B Effective date.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 128.345, 128.346, and 128.348, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 128.345, 128.346, 128.348, 128.461, 128.462, 128.463, 128.464, 128.465, 128.466, 128.467, 128.468, and 128.469, to read as follows:

128.345. DEFINITIONS. — **1.** All references in sections 128.451 to 128.458 to counties, voting districts (VTD), and tract-blocks (Block) mean those counties, voting districts (VTD), and tract-blocks (Block) as reported to the state by the United States Bureau of the Census for the 2010 census.

2. All references in sections 128.461 to 128.468 to counties, voting districts (VTD), and tract-blocks (Block) mean those counties, voting districts (VTD), and tract-blocks (Block) as reported to the state by the United States Bureau of the Census for the 2020 census.

128.346. CONGRESSIONAL DISTRICTS FOR ELECTION OF REPRESENTATIVES TO THE U.S. CONGRESS. — **1.** The districts established by the provisions of sections 128.400 to 128.440 for the election of representatives to the Congress of the United States shall be effective beginning with election to the 108th Congress and through the election of the 112th Congress.

2. The districts established by sections 128.451 to 128.458 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 113th Congress **and through the election of the 117th Congress.**

3. The districts established by sections 128.461 to 128.468 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 118th Congress.

128.348. CONGRESSIONAL DISTRICTS TO BE ESTABLISHED. — ~~[The state of Missouri is hereby divided into nine congressional districts.]~~ **1.** Effective with the election for the 113th Congress **and through the election of the 117th Congress,** the state of Missouri shall consist of eight congressional districts.

2. Effective with the election of the 118th Congress, the state of Missouri shall consist of eight congressional districts.

3. The legal voters of each district shall elect one member of Congress of the United States.

128.461. FIRST CONGRESSIONAL DISTRICT (2020 CENSUS). — **The first congressional district shall be composed of the following:**

County: St. Louis City MO	VTD: AP014
County: St. Louis MO	VTD: AP015
VTD: AP001	VTD: AP016
VTD: AP002	VTD: AP017
VTD: AP003	VTD: AP018
VTD: AP004	VTD: AP019
VTD: AP005	VTD: AP020
VTD: AP006	VTD: AP021
VTD: AP007	VTD: AP022
VTD: AP008	VTD: AP023
VTD: AP009	VTD: AP024
VTD: AP010	VTD: AP025
VTD: AP011	VTD: AP026
VTD: AP012	VTD: AP027
VTD: AP013	VTD: AP028

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: AP029	Block: 291892151022012
VTD: AP030	Block: 291892151022013
VTD: AP031	Block: 291892151022014
VTD: AP032	Block: 291892151023025
VTD: AP033	VTD: CC005
VTD: AP034	VTD: CC006
VTD: AP035	VTD: CC007
VTD: AP036	VTD: CC008
VTD: AP037	VTD: CC009
VTD: AP038	Block: 291892151021030
VTD: AP039	VTD: CC012
VTD: AP040	VTD: CC013
VTD: AP041	VTD: CC017
VTD: AP042	VTD: CC018
VTD: AP043	VTD: CC022
VTD: AP044	VTD: CC023
VTD: AP045	Block: 291892153011001
VTD: AP046	Block: 291892153011002
VTD: AP047	Block: 291892153011003
VTD: AP048	Block: 291892153011004
VTD: AP049	Block: 291892153011005
VTD: AP050	Block: 291892153011007
VTD: AP051	Block: 291892153011008
VTD: AP200	Block: 291892153011009
VTD: AP201	VTD: CC024
VTD: AP202	VTD: CC027
VTD: AP203	Block: 291892153022008
VTD: AP206	Block: 291892153022009
VTD: AP207	Block: 291892153022011
VTD: AP208	Block: 291892153023004
VTD: AP211	Block: 291892153023005
VTD: AP214	Block: 291892153023006
VTD: AP215	Block: 291892153023007
VTD: AP216	Block: 291892153023008
VTD: AP217	Block: 291892153023009
VTD: AP218	Block: 291892153023010
VTD: AP225	Block: 291892153023011
VTD: AP230	Block: 291892153023012
VTD: AP232	Block: 291892153023013
VTD: AP233	Block: 291892153023014
VTD: AP237	Block: 291892153023015
VTD: CC002	Block: 291892153023016
VTD: CC003	Block: 291892153023017
VTD: CC004	Block: 291892153023018
Block: 291892151022007	Block: 291892153023019
Block: 291892151022008	Block: 291892153023020
Block: 291892151022009	Block: 291892153023021
Block: 291892151022010	Block: 291892153024000
Block: 291892151022011	Block: 291892153024002

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291892153024003	VTD: CLA013
Block: 291892153024004	Block: 291892154003013
Block: 291892153024005	Block: 291892154003014
Block: 291892153024006	Block: 291892154004000
Block: 291892153024007	Block: 291892154004001
Block: 291892153024008	Block: 291892154004002
Block: 291892153024009	Block: 291892154004003
Block: 291892153024010	Block: 291892154004008
VTD: CC030	Block: 291892154004013
VTD: CC031	Block: 291892165004021
VTD: CC033	VTD: CLA014
VTD: CC035	VTD: CLA017
VTD: CC037	VTD: CLA019
VTD: CC038	VTD: CLA020
VTD: CC041	VTD: CLA021
VTD: CC042	VTD: CLA022
VTD: CC043	Block: 291892189021009
VTD: CC044	Block: 291892189021018
VTD: CC045	Block: 291892189021019
VTD: CC046	Block: 291892189022011
VTD: CC047	Block: 291892189022013
VTD: CC048	Block: 291892189022014
VTD: CC050	Block: 291892189022015
VTD: CC051	Block: 291892189022016
VTD: CC053	VTD: CLA023
VTD: CC054	VTD: CLA027
VTD: CC056	VTD: CLA028
VTD: CC057	VTD: CLA029
VTD: CC058	VTD: CLA035
VTD: CC201	Block: 291892174001020
VTD: CC202	Block: 291892174003001
VTD: CC203	Block: 291892174003003
VTD: CC205	Block: 291892174003004
VTD: CC208	Block: 291892174003005
VTD: CC221	Block: 291892174003006
VTD: CLA001	Block: 291892174003007
VTD: CLA002	Block: 291892174003008
VTD: CLA003	Block: 291892174003009
VTD: CLA004	Block: 291892174004001
VTD: CLA005	Block: 291892174004002
VTD: CLA007	Block: 291892174004003
Block: 291892154004005	Block: 291892174004004
Block: 291892154004006	Block: 291892174004006
Block: 291892154004007	Block: 291892174004007
Block: 291892154004015	Block: 291892174004008
VTD: CLA008	Block: 291892174004009
VTD: CLA009	Block: 291892174004010
VTD: CLA010	Block: 291892174004011
VTD: CLA011	Block: 291892174004012

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291892174004013	VTD: FER031
Block: 291892174004014	VTD: FER032
Block: 291892174004015	VTD: FER033
Block: 291892174004016	VTD: FER034
Block: 291892174004017	VTD: FER035
Block: 291892174004018	VTD: FER036
Block: 291892174004019	VTD: FER037
VTD: CLA038	VTD: FER038
VTD: CLA039	VTD: FER039
VTD: CLA041	VTD: FER040
VTD: CLA043	VTD: FER041
VTD: CLA044	VTD: FER042
VTD: CLA046	VTD: FER043
VTD: CLA047	VTD: FER044
VTD: CLA050	VTD: FER045
VTD: CLA051	VTD: FER046
VTD: CLA052	VTD: FER206
VTD: CLA200	VTD: FER207
VTD: CLA206	VTD: FER208
VTD: FER001	VTD: FLO001
VTD: FER002	VTD: FLO002
VTD: FER003	VTD: FLO003
VTD: FER004	VTD: FLO004
VTD: FER005	VTD: FLO005
VTD: FER006	VTD: FLO006
VTD: FER007	VTD: FLO007
VTD: FER008	VTD: FLO008
VTD: FER009	VTD: FLO009
VTD: FER010	VTD: FLO010
VTD: FER011	VTD: FLO011
VTD: FER012	VTD: FLO012
VTD: FER013	VTD: FLO013
VTD: FER014	VTD: FLO014
VTD: FER015	VTD: FLO015
VTD: FER016	VTD: FLO016
VTD: FER017	VTD: FLO017
VTD: FER018	VTD: FLO018
VTD: FER019	VTD: FLO019
VTD: FER020	VTD: FLO020
VTD: FER021	VTD: FLO021
VTD: FER022	VTD: FLO022
VTD: FER023	VTD: FLO023
VTD: FER024	VTD: FLO024
VTD: FER025	VTD: FLO025
VTD: FER026	VTD: FLO026
VTD: FER027	VTD: FLO027
VTD: FER028	VTD: FLO028
VTD: FER029	VTD: FLO029
VTD: FER030	VTD: FLO030

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: FLO031	VTD: JEF010
VTD: FLO200	Block: 291892194001026
VTD: FLO201	VTD: JEF012
VTD: FLO205	VTD: JEF013
VTD: FLO207	VTD: JEF014
VTD: HAD001	Block: 291892191001007
VTD: HAD004	Block: 291892191001008
VTD: HAD005	Block: 291892191001010
VTD: HAD008	Block: 291892191001011
VTD: HAD009	Block: 291892191001012
VTD: HAD010	Block: 291892191002003
VTD: HAD011	Block: 291892191002004
VTD: HAD012	Block: 291892191002005
VTD: HAD014	Block: 291892191002006
VTD: HAD015	Block: 291892191002007
VTD: HAD016	Block: 291892191002008
VTD: HAD017	Block: 291892191002009
VTD: HAD018	Block: 291892191003000
VTD: HAD021	Block: 291892191003001
Block: 291892167001000	Block: 291892191003002
Block: 291892167001006	Block: 291892191003003
Block: 291892167001007	Block: 291892191003004
Block: 291892167001008	Block: 291892191003005
Block: 291892167001009	Block: 291892191003006
Block: 291892167001010	Block: 291892191003007
Block: 291892167001013	Block: 291892191003008
Block: 291892167002000	Block: 291892191003009
Block: 291892167002001	Block: 291892191003010
Block: 291892167002002	Block: 291892191003011
Block: 291892167002003	Block: 291892191003012
Block: 291892167002004	Block: 291892191003013
Block: 291892167002005	Block: 291892191004000
Block: 291892167002006	Block: 291892191004001
Block: 291892167002007	Block: 291892191004002
Block: 291892167002008	Block: 291892191004003
Block: 291892167002009	Block: 291892191004004
Block: 291892167002010	Block: 291892191004005
Block: 291892167002011	Block: 291892191004006
Block: 291892167002012	Block: 291892191004007
Block: 291892167002013	VTD: JEF016
VTD: HAD026	VTD: JEF017
Block: 291892167001001	VTD: JEF018
Block: 291892167001002	Block: 291892191003014
Block: 291892167001003	Block: 291892191003015
Block: 291892167001004	Block: 291892191003016
Block: 291892167001005	Block: 291892191004008
VTD: HAD034	Block: 291892191004009
VTD: HAD035	Block: 291892191004010
VTD: JEF007	Block: 291892191004011

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291892191004012	VTD: LC020
Block: 291892192002009	VTD: LC021
Block: 291892192002010	VTD: LC022
Block: 291892192002011	VTD: LC023
Block: 291892192002012	VTD: LC024
Block: 291892192002013	VTD: LC025
Block: 291892192002014	VTD: LC026
Block: 291892192002015	VTD: LC027
Block: 291892192002016	VTD: LC028
Block: 291892192002017	VTD: LC029
Block: 291892192002018	VTD: LC030
Block: 291892192002019	VTD: LC031
Block: 291892192002020	VTD: LC032
Block: 291892192002021	VTD: LC033
Block: 291892192002022	VTD: LC200
Block: 291892192002023	VTD: LC203
Block: 291892195011001	VTD: LC204
Block: 291892195011002	VTD: LC209
Block: 291892195011003	VTD: MHT008
VTD: JEF020	VTD: MHT010
VTD: JEF022	VTD: MHT011
VTD: JEF024	Block: 291892151031002
VTD: JEF025	Block: 291892151031032
VTD: JEF026	Block: 291892151454006
VTD: JEF027	Block: 291892151454008
VTD: JEF030	Block: 291892151454009
Block: 291892195011000	Block: 291892151454010
VTD: JEF033	Block: 291892151454011
VTD: JEF035	Block: 291892151462005
VTD: JEF036	VTD: MHT013
VTD: LC001	VTD: MHT014
VTD: LC002	VTD: MHT015
VTD: LC003	Block: 291892151441016
VTD: LC004	VTD: MHT017
VTD: LC005	VTD: MHT018
VTD: LC006	VTD: MHT021
VTD: LC007	VTD: MHT025
VTD: LC008	VTD: MHT028
VTD: LC009	VTD: MHT033
VTD: LC010	VTD: MHT034
VTD: LC011	Block: 291892151413003
VTD: LC012	Block: 291892151413009
VTD: LC013	Block: 291892151413016
VTD: LC014	VTD: MHT040
VTD: LC015	Block: 291892151413000
VTD: LC016	Block: 291892151413006
VTD: LC017	Block: 291892151413007
VTD: LC018	Block: 291892151413008
VTD: LC019	VTD: MHT043

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: MHT046	VTD: MID041
VTD: MHT048	VTD: MID042
VTD: MHT052	VTD: MID043
Block: 291892151454005	VTD: MID044
VTD: MHT058	VTD: MID045
Block: 291892151453013	VTD: MID046
Block: 291892151454007	VTD: MID047
VTD: MHT200	VTD: MID048
VTD: MHT206	VTD: MID049
VTD: MID001	VTD: MID050
VTD: MID002	VTD: MID051
VTD: MID003	VTD: MID052
VTD: MID004	VTD: MID053
VTD: MID005	VTD: MID054
VTD: MID006	VTD: MID055
VTD: MID007	VTD: MID056
VTD: MID008	VTD: MID057
VTD: MID009	VTD: MID058
VTD: MID010	VTD: MID059
VTD: MID011	VTD: MID060
VTD: MID012	VTD: MID061
VTD: MID013	VTD: MID200
VTD: MID014	VTD: MID201
VTD: MID015	VTD: MID202
VTD: MID016	VTD: MID204
VTD: MID017	VTD: NOR001
VTD: MID018	VTD: NOR002
VTD: MID019	VTD: NOR003
VTD: MID020	VTD: NOR004
VTD: MID021	VTD: NOR005
VTD: MID022	VTD: NOR006
VTD: MID023	VTD: NOR007
VTD: MID024	VTD: NOR008
VTD: MID025	VTD: NOR009
VTD: MID026	VTD: NOR010
VTD: MID027	VTD: NOR011
VTD: MID028	VTD: NOR012
VTD: MID029	VTD: NOR013
VTD: MID030	VTD: NOR014
VTD: MID031	VTD: NOR015
VTD: MID032	VTD: NOR016
VTD: MID033	VTD: NOR017
VTD: MID034	VTD: NOR018
VTD: MID035	VTD: NOR019
VTD: MID036	VTD: NOR020
VTD: MID037	VTD: NOR021
VTD: MID038	VTD: NOR022
VTD: MID039	VTD: NOR023
VTD: MID040	VTD: NOR024

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: NOR025	VTD: NRW009
VTD: NOR026	VTD: NRW010
VTD: NOR027	VTD: NRW011
VTD: NOR028	VTD: NRW012
VTD: NOR029	VTD: NRW013
VTD: NOR030	VTD: NRW014
VTD: NOR031	VTD: NRW015
VTD: NOR032	VTD: NRW016
VTD: NOR033	VTD: NRW017
VTD: NOR034	VTD: NRW018
VTD: NOR035	VTD: NRW019
VTD: NOR036	VTD: NRW020
VTD: NOR037	VTD: NRW021
VTD: NOR038	VTD: NRW022
VTD: NOR039	VTD: NRW023
VTD: NOR040	VTD: NRW024
VTD: NOR041	VTD: NRW025
VTD: NOR042	VTD: NRW026
VTD: NOR043	VTD: NRW027
VTD: NOR044	VTD: NRW028
VTD: NOR045	VTD: NRW029
VTD: NOR046	VTD: NRW030
VTD: NOR047	VTD: NRW031
VTD: NOR048	VTD: NRW032
VTD: NOR049	VTD: NRW033
VTD: NOR050	VTD: NRW034
VTD: NOR051	VTD: NRW035
VTD: NOR052	VTD: NRW036
VTD: NOR053	VTD: NRW037
VTD: NOR054	VTD: NRW038
VTD: NOR055	VTD: NRW039
VTD: NOR056	VTD: NRW040
VTD: NOR200	VTD: NRW041
VTD: NOR201	VTD: NRW042
VTD: NOR202	VTD: NRW043
VTD: NOR203	VTD: NRW044
VTD: NOR204	VTD: NRW045
VTD: NOR208	VTD: NRW046
VTD: NOR213	VTD: NRW047
VTD: NOR218	VTD: NRW048
VTD: NOR222	VTD: NRW049
VTD: NRW001	VTD: NRW050
VTD: NRW002	VTD: NRW051
VTD: NRW003	VTD: NRW200
VTD: NRW004	VTD: NRW201
VTD: NRW005	VTD: NRW202
VTD: NRW006	VTD: NRW203
VTD: NRW007	VTD: NRW204
VTD: NRW008	VTD: NRW205

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: NW001	VTD: NW027
VTD: NW002	VTD: NW028
VTD: NW003	VTD: NW029
VTD: NW004	VTD: NW030
VTD: NW005	VTD: NW031
VTD: NW006	VTD: NW032
VTD: NW007	VTD: NW033
VTD: NW008	VTD: NW034
VTD: NW009	VTD: NW035
VTD: NW010	VTD: NW036
VTD: NW011	VTD: NW037
VTD: NW012	VTD: NW039
VTD: NW013	VTD: NW040
Block: 291892151431003	VTD: NW041
Block: 291892151431005	VTD: NW042
Block: 291892151431007	VTD: NW043
Block: 291892151431019	VTD: NW044
Block: 291892151431020	VTD: NW045
Block: 291892151431021	VTD: NW046
Block: 291892151431029	VTD: NW047
Block: 291892151431030	VTD: NW048
Block: 291892151431044	VTD: NW049
Block: 291892151431045	VTD: NW050
Block: 291892151431046	VTD: NW051
Block: 291892151431047	VTD: NW052
Block: 291892151431048	VTD: NW200
Block: 291892151431049	VTD: NW201
Block: 291892151431050	VTD: NW202
Block: 291892151431051	VTD: NW203
Block: 291892151431052	VTD: NW204
Block: 291892151431053	VTD: NW205
Block: 291892151431054	VTD: NW206
Block: 291892151431055	VTD: NW207
Block: 291892151431056	VTD: NW208
Block: 291892151431057	VTD: NW209
Block: 291892151431063	VTD: NW210
VTD: NW014	VTD: NW211
VTD: NW015	VTD: NW212
VTD: NW016	VTD: NW213
VTD: NW017	VTD: NW214
VTD: NW018	VTD: NW215
VTD: NW019	VTD: NW216
VTD: NW020	VTD: NW217
VTD: NW021	VTD: NW219
VTD: NW022	VTD: NW220
VTD: NW023	VTD: NW224
VTD: NW024	VTD: NW225
VTD: NW025	VTD: NW226
VTD: NW026	VTD: NW227

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: NW229	VTD: SPL013
VTD: SF001	VTD: SPL014
VTD: SF002	VTD: SPL015
VTD: SF003	VTD: SPL016
VTD: SF004	VTD: SPL017
VTD: SF005	VTD: SPL018
VTD: SF006	VTD: SPL019
VTD: SF007	VTD: SPL020
VTD: SF008	VTD: SPL021
VTD: SF009	VTD: SPL022
VTD: SF010	VTD: SPL023
VTD: SF011	VTD: SPL024
VTD: SF012	VTD: SPL025
VTD: SF013	VTD: SPL026
VTD: SF014	VTD: SPL027
VTD: SF015	VTD: SPL028
VTD: SF016	VTD: SPL201
VTD: SF017	VTD: SPL202
VTD: SF018	VTD: SPL207
VTD: SF019	VTD: SPL208
VTD: SF020	VTD: UNV001
VTD: SF021	VTD: UNV002
VTD: SF022	VTD: UNV003
VTD: SF023	VTD: UNV004
VTD: SF024	VTD: UNV005
VTD: SF025	VTD: UNV006
VTD: SF026	VTD: UNV007
VTD: SF027	VTD: UNV008
VTD: SF028	VTD: UNV009
VTD: SF029	VTD: UNV010
VTD: SF030	VTD: UNV011
VTD: SF031	VTD: UNV012
VTD: SF032	VTD: UNV013
VTD: SF033	VTD: UNV014
VTD: SF034	VTD: UNV015
VTD: SF035	VTD: UNV016
VTD: SF200	VTD: UNV017
VTD: SPL001	VTD: UNV018
VTD: SPL002	VTD: UNV019
VTD: SPL003	VTD: UNV020
VTD: SPL004	VTD: UNV021
VTD: SPL005	VTD: UNV022
VTD: SPL006	VTD: UNV023
VTD: SPL007	VTD: UNV024
VTD: SPL008	VTD: UNV025
VTD: SPL009	VTD: UNV026
VTD: SPL010	VTD: UNV027
VTD: SPL011	VTD: UNV028
VTD: SPL012	VTD: UNV029

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: UNV030
 VTD: UNV031
 VTD: UNV032
 VTD: UNV033
 VTD: UNV034
 VTD: UNV035
 VTD: UNV036
 VTD: UNV037
 VTD: UNV038
 VTD: UNV039

VTD: UNV040
 VTD: UNV041
 VTD: UNV042
 VTD: UNV043
 VTD: UNV045
 VTD: UNV201
 VTD: UNV202
 VTD: UNV205
 VTD: UNV206
 VTD: UNV208

128.462. SECOND CONGRESSIONAL DISTRICT (2020 CENSUS). — The second congressional district shall be composed of the following:

County: Franklin MO
 County: St. Charles MO
 VTD: All Saints
 Block: 291833117352018
 Block: 291833117353000
 Block: 291833117353001
 Block: 291833117354000
 Block: 291833117354001
 Block: 291833117354002
 Block: 291833117354003
 Block: 291833117391000
 Block: 291833117391001
 Block: 291833117391002
 Block: 291833117391003
 Block: 291833117391004
 Block: 291833117391005
 Block: 291833117391006
 Block: 291833117391007
 Block: 291833117391009
 Block: 291833117391015
 VTD: Amber Meadows
 VTD: Augusta
 VTD: Bayfield
 VTD: Callaway
 VTD: Canvas Cove
 VTD: Carriage Hills
 VTD: Community
 Block: 291833120032069
 Block: 291833120032070
 Block: 291833120032071
 Block: 291833120032076
 Block: 291833120032091
 Block: 291833121921000
 Block: 291833121921003
 Block: 291833121921004
 Block: 291833121921009

Block: 291833121921010
 Block: 291833121921011
 Block: 291833121921012
 Block: 291833121921013
 Block: 291833121921014
 Block: 291833121921015
 Block: 291833121921016
 Block: 291833121921019
 Block: 291833121921020
 Block: 291833121921021
 Block: 291833121921022
 Block: 291833121921023
 Block: 291833121921024
 Block: 291833121921025
 Block: 291833121921026
 Block: 291833121921027
 Block: 291833121921028
 Block: 291833121921029
 Block: 291833121921030
 Block: 291833121921031
 Block: 291833121921033
 Block: 291833121921050
 Block: 291833121921051
 Block: 291833121922000
 Block: 291833121922001
 Block: 291833121922002
 Block: 291833121922003
 Block: 291833121922004
 Block: 291833121922005
 Block: 291833121922006
 Block: 291833121922007
 Block: 291833121922008
 Block: 291833121922009
 Block: 291833121922010
 Block: 291833121922011
 Block: 291833121922012

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

Block: 291833121922014	Block: 291833121933028
Block: 291833121922015	Block: 291833121933029
Block: 291833121922016	Block: 291833121933030
Block: 291833121922017	Block: 291833121933037
Block: 291833121922018	Block: 291833121933038
Block: 291833121922019	Block: 291833121933048
Block: 291833121922020	Block: 291833121933049
Block: 291833121922021	VTD: Delmar
Block: 291833121922022	VTD: Discovery
Block: 291833121922023	Block: 291833117352016
Block: 291833121922024	VTD: DuVall
Block: 291833121922031	VTD: Feise
Block: 291833121922032	VTD: Fieldcrest
Block: 291833121922035	VTD: Foristell
Block: 291833121922036	Block: 291833120032054
Block: 291833121922037	Block: 291833120032055
Block: 291833121922038	Block: 291833120032056
Block: 291833121922040	Block: 291833120032058
Block: 291833121922043	Block: 291833120032059
Block: 291833121922044	Block: 291833120032060
Block: 291833121922045	Block: 291833120032061
Block: 291833121922046	Block: 291833120032062
Block: 291833121922048	Block: 291833120032063
Block: 291833121922049	Block: 291833120032064
Block: 291833121933000	Block: 291833120032065
Block: 291833121933001	Block: 291833120032077
Block: 291833121933002	Block: 291833120032079
Block: 291833121933003	Block: 291833120032080
Block: 291833121933007	Block: 291833120032081
Block: 291833121933008	Block: 291833120032084
Block: 291833121933009	Block: 291833120032085
Block: 291833121933010	Block: 291833120032086
Block: 291833121933011	Block: 291833120032087
Block: 291833121933012	Block: 291833120032088
Block: 291833121933013	Block: 291833120032089
Block: 291833121933014	Block: 291833120032090
Block: 291833121933015	VTD: Freymuth
Block: 291833121933016	VTD: Glengate
Block: 291833121933017	Block: 291833117381000
Block: 291833121933018	Block: 291833117381001
Block: 291833121933019	Block: 291833117381002
Block: 291833121933020	Block: 291833117381003
Block: 291833121933021	Block: 291833117381004
Block: 291833121933022	Block: 291833117381005
Block: 291833121933023	Block: 291833117381006
Block: 291833121933024	Block: 291833117381007
Block: 291833121933025	Block: 291833117381008
Block: 291833121933026	Block: 291833117381009
Block: 291833121933027	Block: 291833117381010

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291833117381011	VTD: Ridgepoint
Block: 291833117381012	VTD: Starbuck
Block: 291833117381023	VTD: Summerset
Block: 291833117381024	VTD: Turtle Creek
Block: 291833117381025	VTD: Twin Chimneys
Block: 291833117382000	VTD: Twin Oaks
Block: 291833117382001	VTD: Weldon Spring
Block: 291833117382002	VTD: Westfield
Block: 291833117382003	County: St. Louis MO
Block: 291833117382004	VTD: BON001
Block: 291833117382005	VTD: BON002
Block: 291833117382006	VTD: BON003
Block: 291833117382007	VTD: BON004
Block: 291833117382008	VTD: BON005
Block: 291833117382009	VTD: BON006
Block: 291833117382010	VTD: BON007
Block: 291833117382011	VTD: BON008
Block: 291833117382012	VTD: BON009
Block: 291833117382013	VTD: BON010
Block: 291833117382014	VTD: BON011
Block: 291833117382015	VTD: BON012
Block: 291833117382016	VTD: BON013
Block: 291833117382017	VTD: BON014
Block: 291833117382018	VTD: BON015
Block: 291833117382019	VTD: BON016
Block: 291833117382020	VTD: BON017
Block: 291833117382021	VTD: BON018
Block: 291833117382022	VTD: BON019
Block: 291833117382023	VTD: BON020
VTD: Hawk Ridge	VTD: BON021
VTD: Hillcrest	VTD: BON022
Block: 291833117323001	VTD: BON023
Block: 291833117323002	VTD: BON024
Block: 291833117323004	VTD: BON025
Block: 291833117324017	VTD: BON026
Block: 291833117354004	VTD: BON027
Block: 291833117354006	VTD: BON028
Block: 291833117382024	VTD: BON029
VTD: Hopewell	VTD: BON030
VTD: Keystone	VTD: BON031
VTD: Monticello	VTD: BON032
VTD: New Melle	VTD: BON033
VTD: Patriot	VTD: BON034
VTD: Phoenix	VTD: BON035
VTD: Pioneer	VTD: BON036
VTD: Regatta Bay	VTD: BON037
Block: 291833119042022	VTD: BON038
Block: 291833119092034	VTD: BON039
Block: 291833119092035	VTD: BON040

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VTD: BON200	VTD: CC060
VTD: BON202	VTD: CC214
VTD: BON203	VTD: CHE001
VTD: BON205	VTD: CHE002
VTD: BON206	VTD: CHE003
VTD: BON207	VTD: CHE004
VTD: BON208	VTD: CHE005
VTD: BON210	VTD: CHE006
VTD: BON211	VTD: CHE007
VTD: CC001	VTD: CHE008
VTD: CC004	VTD: CHE009
Block: 291892151021036	VTD: CHE010
Block: 291892151021041	VTD: CHE011
VTD: CC009	VTD: CHE012
Block: 291892151021039	VTD: CHE013
VTD: CC010	VTD: CHE014
VTD: CC011	VTD: CHE015
VTD: CC014	VTD: CHE016
VTD: CC015	VTD: CHE017
VTD: CC016	VTD: CHE018
VTD: CC019	VTD: CHE019
VTD: CC020	VTD: CHE020
VTD: CC021	VTD: CHE021
VTD: CC023	VTD: CHE022
Block: 291892153011006	VTD: CHE023
VTD: CC025	VTD: CHE024
VTD: CC026	VTD: CHE025
VTD: CC027	VTD: CHE026
Block: 291892153021013	VTD: CHE027
Block: 291892153021014	VTD: CHE028
Block: 291892153021015	VTD: CHE029
Block: 291892153021016	VTD: CHE030
Block: 291892153021017	VTD: CHE031
Block: 291892153021024	VTD: CHE032
Block: 291892153021025	VTD: CHE033
Block: 291892153021026	VTD: CHE034
Block: 291892153021027	VTD: CHE035
Block: 291892153024001	VTD: CHE036
VTD: CC028	VTD: CHE037
VTD: CC029	VTD: CHE038
VTD: CC032	VTD: CHE039
VTD: CC034	VTD: CHE040
VTD: CC036	VTD: CHE041
VTD: CC039	VTD: CHE042
VTD: CC040	VTD: CHE043
VTD: CC049	VTD: CHE044
VTD: CC052	VTD: CHE045
VTD: CC055	VTD: CHE046
VTD: CC059	VTD: CHE047

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: CHE048	VTD: CLA201
VTD: CHE049	VTD: CLA202
VTD: CHE050	VTD: CLA203
VTD: CHE051	VTD: CLA205
VTD: CHE052	VTD: CON001
VTD: CHE053	VTD: CON002
VTD: CHE054	VTD: CON003
VTD: CHE055	VTD: CON004
VTD: CHE057	VTD: CON005
VTD: CHE200	VTD: CON006
VTD: CHE203	VTD: CON007
VTD: CHE212	VTD: CON008
VTD: CHE214	VTD: CON009
VTD: CHE215	VTD: CON010
VTD: CLA006	VTD: CON011
VTD: CLA007	VTD: CON012
Block: 291892154004009	VTD: CON013
Block: 291892154004010	VTD: CON014
Block: 291892154004011	VTD: CON015
VTD: CLA012	VTD: CON016
VTD: CLA013	VTD: CON017
Block: 291892154004004	VTD: CON018
Block: 291892154004012	VTD: CON019
Block: 291892154005001	VTD: CON020
Block: 291892154005002	VTD: CON021
Block: 291892154005003	VTD: CON022
VTD: CLA015	VTD: CON023
VTD: CLA016	VTD: CON024
VTD: CLA022	VTD: CON025
Block: 291892189021015	VTD: CON026
Block: 291892189021016	VTD: CON027
Block: 291892189021017	VTD: CON028
VTD: CLA024	VTD: CON029
VTD: CLA025	VTD: CON030
VTD: CLA026	VTD: CON031
VTD: CLA030	VTD: CON032
VTD: CLA031	VTD: CON033
VTD: CLA032	VTD: CON034
VTD: CLA033	VTD: CON035
VTD: CLA034	VTD: CON036
VTD: CLA035	VTD: CON037
Block: 291892174004000	VTD: CON038
Block: 291892174004005	VTD: CON039
VTD: CLA036	VTD: CON040
VTD: CLA037	VTD: CON041
VTD: CLA040	VTD: CON042
VTD: CLA042	VTD: CON043
VTD: CLA045	VTD: CON044
VTD: CLA049	VTD: CON045

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Matter in bold-face type is proposed language.

VTD: CON046	VTD: GRA035
VTD: CON047	VTD: GRA036
VTD: CON048	VTD: GRA037
VTD: CON049	VTD: GRA038
VTD: CON050	VTD: GRA039
VTD: CON051	VTD: GRA040
VTD: CON052	VTD: GRA041
VTD: CON053	VTD: GRA042
VTD: CON200	VTD: GRA043
VTD: CON202	VTD: GRA044
VTD: CON204	VTD: GRA045
VTD: CON205	VTD: GRA046
VTD: CON206	VTD: GRA047
VTD: CON212	VTD: GRA048
VTD: CON213	VTD: GRA201
VTD: GRA001	VTD: GRA202
VTD: GRA002	VTD: GRA206
VTD: GRA003	VTD: GRA209
VTD: GRA004	VTD: GRA210
VTD: GRA005	VTD: HAD002
VTD: GRA006	VTD: HAD003
VTD: GRA007	VTD: HAD006
VTD: GRA008	VTD: HAD007
VTD: GRA009	VTD: HAD013
VTD: GRA010	VTD: HAD019
VTD: GRA011	VTD: HAD020
VTD: GRA012	VTD: HAD021
VTD: GRA013	Block: 291892167004000
VTD: GRA014	Block: 291892167004001
VTD: GRA015	VTD: HAD022
VTD: GRA016	VTD: HAD023
VTD: GRA017	VTD: HAD024
VTD: GRA018	VTD: HAD025
VTD: GRA019	VTD: HAD026
VTD: GRA020	Block: 291892167004002
VTD: GRA021	VTD: HAD027
VTD: GRA022	VTD: HAD028
VTD: GRA023	VTD: HAD029
VTD: GRA024	VTD: HAD030
VTD: GRA025	VTD: HAD031
VTD: GRA026	VTD: HAD032
VTD: GRA027	VTD: HAD033
VTD: GRA028	VTD: HAD200
VTD: GRA029	VTD: JEF001
VTD: GRA030	VTD: JEF002
VTD: GRA031	VTD: JEF003
VTD: GRA032	VTD: JEF004
VTD: GRA033	VTD: JEF005
VTD: GRA034	VTD: JEF006

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Matter in bold-face type is proposed language.

VTD: JEF008	Block: 291892196023005
VTD: JEF009	Block: 291892196023006
VTD: JEF010	Block: 291892196023008
Block: 291892194003018	Block: 291892196023009
Block: 291892194004000	VTD: JEF019
Block: 291892194004001	VTD: JEF021
Block: 291892194004002	VTD: JEF023
Block: 291892194004003	VTD: JEF028
Block: 291892194004004	VTD: JEF029
Block: 291892194004005	VTD: JEF030
Block: 291892194004006	Block: 291892195021001
Block: 291892194004007	Block: 291892195021002
Block: 291892194004008	Block: 291892195021003
Block: 291892194004010	Block: 291892195021004
Block: 291892194004011	Block: 291892195021005
Block: 291892194004012	Block: 291892195021006
Block: 291892194004013	Block: 291892195021007
Block: 291892194004014	Block: 291892195021008
Block: 291892194004015	Block: 291892195021009
Block: 291892194005001	Block: 291892195021010
Block: 291892194005002	Block: 291892195021011
Block: 291892194005005	Block: 291892195021012
Block: 291892194005006	Block: 291892195021013
Block: 291892194005007	Block: 291892195021014
Block: 291892194005015	Block: 291892195021015
Block: 291892194005016	Block: 291892195021016
Block: 291892194005017	Block: 291892195022000
Block: 291892194005018	Block: 291892195022002
Block: 291892194005019	Block: 291892195022003
Block: 291892194005020	VTD: JEF031
Block: 291892194005021	VTD: JEF032
Block: 291892194005022	VTD: JEF034
Block: 291892219001008	VTD: JEF037
VTD: JEF011	VTD: JEF200
VTD: JEF014	VTD: JEF202
Block: 291892170004019	VTD: LAF001
Block: 291892170004020	VTD: LAF002
Block: 291892196021002	VTD: LAF003
Block: 291892196021003	VTD: LAF004
Block: 291892196021004	VTD: LAF005
Block: 291892196021005	VTD: LAF006
Block: 291892196021007	VTD: LAF007
VTD: JEF015	VTD: LAF008
VTD: JEF018	VTD: LAF009
Block: 291892191004013	VTD: LAF010
Block: 291892191004014	VTD: LAF011
Block: 291892191004015	VTD: LAF012
Block: 291892191004016	VTD: LAF013
Block: 291892195021000	VTD: LAF014

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VTD: LAF015	VTD: LEM016
VTD: LAF016	VTD: LEM017
VTD: LAF017	VTD: LEM018
VTD: LAF018	VTD: LEM019
VTD: LAF019	VTD: LEM020
VTD: LAF020	VTD: LEM021
VTD: LAF022	VTD: LEM022
VTD: LAF023	VTD: LEM023
VTD: LAF024	VTD: LEM024
VTD: LAF025	VTD: LEM025
VTD: LAF026	VTD: LEM026
VTD: LAF027	VTD: LEM027
VTD: LAF028	VTD: LEM028
VTD: LAF029	VTD: LEM029
VTD: LAF030	VTD: LEM030
VTD: LAF031	VTD: LEM031
VTD: LAF032	VTD: LEM032
VTD: LAF033	VTD: LEM033
VTD: LAF034	VTD: LEM200
VTD: LAF035	VTD: LEM201
VTD: LAF036	VTD: LEM202
VTD: LAF037	VTD: LEM204
VTD: LAF038	VTD: LEM205
VTD: LAF039	VTD: LEM208
VTD: LAF040	VTD: MER001
VTD: LAF041	VTD: MER002
VTD: LAF042	VTD: MER003
VTD: LAF043	VTD: MER004
VTD: LAF044	VTD: MER005
VTD: LAF045	VTD: MER006
VTD: LAF046	VTD: MER007
VTD: LAF200	VTD: MER008
VTD: LAF205	VTD: MER009
VTD: LAF207	VTD: MER010
VTD: LEM001	VTD: MER011
VTD: LEM002	VTD: MER012
VTD: LEM003	VTD: MER013
VTD: LEM004	VTD: MER014
VTD: LEM005	VTD: MER015
VTD: LEM006	VTD: MER016
VTD: LEM007	VTD: MER017
VTD: LEM008	VTD: MER018
VTD: LEM009	VTD: MER019
VTD: LEM010	VTD: MER020
VTD: LEM011	VTD: MER021
VTD: LEM012	VTD: MER022
VTD: LEM013	VTD: MER023
VTD: LEM014	VTD: MER024
VTD: LEM015	VTD: MER025

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VTD: MER026	Block: 291892151441015
VTD: MER027	Block: 291892151442000
VTD: MER028	Block: 291892151442001
VTD: MER029	Block: 291892151442002
VTD: MER030	Block: 291892151442003
VTD: MER031	VTD: MHT016
VTD: MER032	VTD: MHT019
VTD: MER033	VTD: MHT020
VTD: MER034	VTD: MHT022
VTD: MER035	VTD: MHT023
VTD: MER036	VTD: MHT024
VTD: MER037	VTD: MHT026
VTD: MER038	VTD: MHT027
VTD: MER039	VTD: MHT029
VTD: MER040	VTD: MHT030
VTD: MER041	VTD: MHT031
VTD: MER042	VTD: MHT032
VTD: MER043	VTD: MHT034
VTD: MER044	Block: 291892151411039
VTD: MER045	Block: 291892151411040
VTD: MER046	Block: 291892151411041
VTD: MER047	Block: 291892151411042
VTD: MER048	Block: 291892151411045
VTD: MER200	Block: 291892151411046
VTD: MER202	Block: 291892151412003
VTD: MER204	Block: 291892151412004
VTD: MER207	Block: 291892151412005
VTD: MER209	Block: 291892151412006
VTD: MER210	Block: 291892151412007
VTD: MER213	Block: 291892151412008
VTD: MER214	Block: 291892151413002
VTD: MER215	Block: 291892151413010
VTD: MER219	Block: 291892151413011
VTD: MHT001	VTD: MHT035
VTD: MHT002	VTD: MHT036
VTD: MHT003	VTD: MHT037
VTD: MHT004	VTD: MHT038
VTD: MHT005	VTD: MHT039
VTD: MHT006	VTD: MHT040
VTD: MHT007	Block: 291892151412000
VTD: MHT009	Block: 291892151412002
VTD: MHT011	VTD: MHT041
Block: 291892151454012	VTD: MHT042
VTD: MHT012	VTD: MHT044
VTD: MHT015	VTD: MHT045
Block: 291892151441005	VTD: MHT047
Block: 291892151441008	VTD: MHT049
Block: 291892151441009	VTD: MHT050
Block: 291892151441010	VTD: MHT051

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VTD: MHT052	VTD: MR026
Block: 291892151453008	VTD: MR027
Block: 291892151453014	VTD: MR028
Block: 291892151453015	VTD: MR029
VTD: MHT053	VTD: MR030
VTD: MHT054	VTD: MR031
VTD: MHT055	VTD: MR032
VTD: MHT056	VTD: MR033
VTD: MHT057	VTD: MR034
VTD: MHT058	VTD: MR035
Block: 291892151453010	VTD: MR036
VTD: MHT059	VTD: MR037
VTD: MHT203	VTD: MR038
VTD: MHT207	VTD: MR039
VTD: MHT208	VTD: MR040
VTD: MHT211	VTD: MR041
VTD: MHT212	VTD: MR042
VTD: MHT213	VTD: MR043
VTD: MHT214	VTD: MR044
VTD: MHT216	VTD: MR045
VTD: MHT219	VTD: MR046
VTD: MHT220	VTD: MR047
VTD: MHT222	VTD: MR048
VTD: MHT223	VTD: MR049
VTD: MR001	VTD: MR050
VTD: MR002	VTD: MR051
VTD: MR003	VTD: MR052
VTD: MR004	VTD: MR053
VTD: MR005	VTD: MR054
VTD: MR006	VTD: MR055
VTD: MR007	VTD: MR056
VTD: MR008	VTD: MR057
VTD: MR009	VTD: MR058
VTD: MR010	VTD: MR059
VTD: MR011	VTD: MR200
VTD: MR012	VTD: MR202
VTD: MR013	VTD: MR203
VTD: MR014	VTD: MR204
VTD: MR015	VTD: MR205
VTD: MR016	VTD: MR209
VTD: MR017	VTD: MR210
VTD: MR018	VTD: MR212
VTD: MR019	VTD: MR213
VTD: MR020	VTD: NW013
VTD: MR021	Block: 291892151431006
VTD: MR022	Block: 291892151431008
VTD: MR023	Block: 291892151431009
VTD: MR024	Block: 291892151431010
VTD: MR025	Block: 291892151431011

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Matter in bold-face type is proposed language.

Block: 291892151431012	VTD: QUE008
Block: 291892151431013	VTD: QUE009
Block: 291892151431014	VTD: QUE010
Block: 291892151431015	VTD: QUE011
Block: 291892151431016	VTD: QUE012
Block: 291892151431024	VTD: QUE013
Block: 291892151431025	VTD: QUE014
Block: 291892151431026	VTD: QUE015
Block: 291892151431027	VTD: QUE016
Block: 291892151431031	VTD: QUE017
Block: 291892151431033	VTD: QUE018
Block: 291892151431064	VTD: QUE019
VTD: NW038	VTD: QUE020
VTD: OAK001	VTD: QUE021
VTD: OAK002	VTD: QUE022
VTD: OAK003	VTD: QUE023
VTD: OAK004	VTD: QUE024
VTD: OAK005	VTD: QUE025
VTD: OAK006	VTD: QUE026
VTD: OAK007	VTD: QUE027
VTD: OAK008	VTD: QUE028
VTD: OAK009	VTD: QUE029
VTD: OAK010	VTD: QUE030
VTD: OAK011	VTD: QUE031
VTD: OAK012	VTD: QUE032
VTD: OAK013	VTD: QUE033
VTD: OAK014	VTD: QUE034
VTD: OAK015	VTD: QUE035
VTD: OAK016	VTD: QUE036
VTD: OAK017	VTD: QUE037
VTD: OAK018	VTD: QUE038
VTD: OAK019	VTD: QUE039
VTD: OAK020	VTD: QUE040
VTD: OAK021	VTD: QUE041
VTD: OAK022	VTD: QUE042
VTD: OAK023	VTD: QUE043
VTD: OAK024	VTD: QUE044
VTD: OAK025	VTD: QUE045
VTD: OAK026	VTD: QUE046
VTD: OAK027	VTD: QUE047
VTD: OAK028	VTD: QUE048
VTD: OAK029	VTD: QUE049
VTD: QUE001	VTD: QUE200
VTD: QUE002	VTD: QUE201
VTD: QUE003	VTD: QUE202
VTD: QUE004	VTD: QUE203
VTD: QUE005	VTD: QUE204
VTD: QUE006	VTD: QUE205
VTD: QUE007	VTD: QUE207

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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VTD: QUE208	VTD: WH017
VTD: QUE209	VTD: WH018
VTD: QUE210	VTD: WH019
VTD: QUE211	VTD: WH020
VTD: QUE213	VTD: WH021
VTD: TSF001	VTD: WH022
VTD: TSF002	VTD: WH023
VTD: TSF003	VTD: WH024
VTD: TSF004	VTD: WH025
VTD: TSF005	VTD: WH026
VTD: TSF006	VTD: WH027
VTD: TSF007	VTD: WH028
VTD: TSF008	VTD: WH029
VTD: TSF009	VTD: WH030
VTD: TSF010	VTD: WH031
VTD: TSF011	VTD: WH032
VTD: TSF012	VTD: WH033
VTD: TSF013	VTD: WH034
VTD: TSF014	VTD: WH035
VTD: TSF015	VTD: WH036
VTD: TSF016	VTD: WH037
VTD: TSF017	VTD: WH038
VTD: TSF018	VTD: WH039
VTD: TSF019	VTD: WH040
VTD: TSF020	VTD: WH041
VTD: TSF021	VTD: WH042
VTD: TSF022	VTD: WH043
VTD: TSF023	VTD: WH044
VTD: TSF024	VTD: WH045
VTD: TSF025	VTD: WH046
VTD: TSF026	VTD: WH047
VTD: TSF027	VTD: WH200
VTD: TSF201	VTD: WH201
VTD: WH001	VTD: WH202
VTD: WH002	VTD: WH203
VTD: WH003	VTD: WH208
VTD: WH004	County: Warren MO
VTD: WH005	VTD: Concord Hill
VTD: WH006	VTD: Dutzow
VTD: WH007	VTD: Elkhorn South
VTD: WH008	VTD: Gore - Case
VTD: WH009	VTD: Holstein
VTD: WH010	VTD: Hopewell
VTD: WH011	VTD: Innsbrook
VTD: WH012	VTD: Lake Sherwood
VTD: WH013	VTD: Macedonia
VTD: WH014	VTD: Marthasville
VTD: WH015	VTD: North Hickory Grove
VTD: WH016	Block: 292198201091007

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Matter in bold-face type is proposed language.

Block: 292198201091030
Block: 292198201091038
Block: 292198201091039
Block: 292198201091043
Block: 292198201091044
Block: 292198201092005
Block: 292198201092006
Block: 292198201092007
Block: 292198201092011
Block: 292198201092012
Block: 292198201092013
Block: 292198201092014
Block: 292198201092015
Block: 292198201092017
Block: 292198201092019
Block: 292198201092022
Block: 292198201092023
Block: 292198201092024
Block: 292198201092025
Block: 292198201092026
Block: 292198201092027
Block: 292198201092028
Block: 292198201092029
Block: 292198201092030
Block: 292198201092032
Block: 292198201092033
Block: 292198201092035
Block: 292198201092036
Block: 292198201092037
Block: 292198201092038
Block: 292198201092039
Block: 292198201092040
Block: 292198201092042
Block: 292198201092044
Block: 292198201092045
Block: 292198201092046
Block: 292198201092047
Block: 292198201092048
Block: 292198201092049
Block: 292198201092050
Block: 292198201092051
Block: 292198201092052
Block: 292198201092053
Block: 292198201092054
Block: 292198201092055
Block: 292198201092056
Block: 292198201092057
Block: 292198201092058
Block: 292198201092059

Block: 292198201092060
Block: 292198201092061
Block: 292198201092062
Block: 292198201092063
Block: 292198201092064
Block: 292198201092065
Block: 292198201092066
Block: 292198201092067
Block: 292198201092068
Block: 292198201092069
Block: 292198201092070
Block: 292198201092071
Block: 292198201092072
Block: 292198201092073
Block: 292198201092074
Block: 292198201092075
Block: 292198201092076
Block: 292198201092077
Block: 292198201092078
Block: 292198201092079
Block: 292198201092080
Block: 292198201092081
Block: 292198201092082
Block: 292198201092083
Block: 292198201092084
Block: 292198201092085
VTD: Pendleton
Block: 292198201041099
Block: 292198201041125
Block: 292198201042000
Block: 292198201042001
Block: 292198201042002
Block: 292198201042003
Block: 292198201042004
Block: 292198201042005
Block: 292198201042006
Block: 292198201042007
Block: 292198201042008
Block: 292198201042009
Block: 292198201042010
Block: 292198201042011
Block: 292198201042012
Block: 292198201042013
Block: 292198201042014
Block: 292198201042015
Block: 292198201042016
Block: 292198201042017
Block: 292198201042018
Block: 292198201042019

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 292198201042020	Block: 292198201042069
Block: 292198201042021	Block: 292198201042070
Block: 292198201042022	Block: 292198201042071
Block: 292198201042023	Block: 292198201042072
Block: 292198201042024	Block: 292198201042073
Block: 292198201042025	Block: 292198201042074
Block: 292198201042026	Block: 292198201042075
Block: 292198201042027	Block: 292198201042076
Block: 292198201042028	Block: 292198201042077
Block: 292198201042029	Block: 292198201042078
Block: 292198201042030	Block: 292198201042079
Block: 292198201042031	Block: 292198201042080
Block: 292198201042032	Block: 292198201042081
Block: 292198201042033	Block: 292198201061001
Block: 292198201042034	Block: 292198201061002
Block: 292198201042035	Block: 292198201061003
Block: 292198201042036	Block: 292198201061004
Block: 292198201042037	Block: 292198201061005
Block: 292198201042038	Block: 292198201061006
Block: 292198201042039	Block: 292198201061007
Block: 292198201042040	Block: 292198201061008
Block: 292198201042041	Block: 292198201061010
Block: 292198201042042	Block: 292198201061016
Block: 292198201042043	Block: 292198201061017
Block: 292198201042044	Block: 292198201061018
Block: 292198201042045	Block: 292198201061019
Block: 292198201042046	Block: 292198201061020
Block: 292198201042047	Block: 292198201061025
Block: 292198201042048	Block: 292198201061026
Block: 292198201042049	Block: 292198201061027
Block: 292198201042050	Block: 292198201061028
Block: 292198201042051	Block: 292198201061029
Block: 292198201042052	Block: 292198201061030
Block: 292198201042053	Block: 292198201061035
Block: 292198201042054	Block: 292198201061036
Block: 292198201042055	Block: 292198201061037
Block: 292198201042056	Block: 292198201061041
Block: 292198201042057	Block: 292198201061045
Block: 292198201042058	Block: 292198201061056
Block: 292198201042059	Block: 292198201061057
Block: 292198201042060	VTD: Smith Creek
Block: 292198201042061	VTD: South Hickory Grove
Block: 292198201042062	VTD: Truesdale
Block: 292198201042063	VTD: Walnut Grove
Block: 292198201042064	VTD: Warrenton Ward 1
Block: 292198201042065	VTD: Warrenton Ward 2
Block: 292198201042066	Block: 292198201061009
Block: 292198201042067	Block: 292198201061011
Block: 292198201042068	Block: 292198201061012

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 292198201061013	Block: 292198201071048
Block: 292198201061014	Block: 292198201071049
Block: 292198201061015	Block: 292198201071050
Block: 292198201061021	Block: 292198201071055
Block: 292198201061022	VTD: Wright City Ward 1
Block: 292198201061023	Block: 292198201091000
Block: 292198201061024	Block: 292198201091002
Block: 292198201061031	Block: 292198201091003
Block: 292198201061032	Block: 292198201091004
Block: 292198201061033	Block: 292198201091005
Block: 292198201061034	Block: 292198201091006
Block: 292198201061046	Block: 292198201091008
Block: 292198201061047	Block: 292198201091009
Block: 292198201061048	Block: 292198201091010
Block: 292198201061049	Block: 292198201091011
Block: 292198201061050	Block: 292198201091012
Block: 292198201061051	Block: 292198201091013
Block: 292198201061052	Block: 292198201091014
Block: 292198201061053	Block: 292198201091015
Block: 292198201061054	Block: 292198201091016
Block: 292198201061055	Block: 292198201091017
VTD: Warrenton Ward 3	Block: 292198201091018
Block: 292198201071012	Block: 292198201091019
Block: 292198201071013	Block: 292198201091020
Block: 292198201071015	Block: 292198201091021
Block: 292198201071016	Block: 292198201091022
Block: 292198201071017	Block: 292198201091023
Block: 292198201071018	Block: 292198201091040
Block: 292198201071019	Block: 292198201091041
Block: 292198201071020	Block: 292198201091042
Block: 292198201071022	Block: 292198201091045
Block: 292198201071023	Block: 292198201091046
Block: 292198201071024	Block: 292198201092001
Block: 292198201071025	Block: 292198201092002
Block: 292198201071026	Block: 292198201092003
Block: 292198201071027	Block: 292198201092004
Block: 292198201071028	Block: 292198201092041
Block: 292198201071029	VTD: Wright City Ward 2
Block: 292198201071030	

128.463. THIRD CONGRESSIONAL DISTRICT (2020 CENSUS). — The third congressional district shall be composed of the following:

County: Boone MO	Block: 290190018033013
VTD: 18	Block: 290190018033014
Block: 290190018033008	Block: 290190018033015
Block: 290190018033009	Block: 290190018033016
Block: 290190018033010	Block: 290190018033017
Block: 290190018033011	Block: 290190018033018
Block: 290190018033012	Block: 290190018033019

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290190018033020	Block: 290190005001009
Block: 290190018033021	Block: 290190005002000
Block: 290190018033022	Block: 290190005002001
Block: 290190018033023	Block: 290190005002002
Block: 290190018033024	Block: 290190005002003
Block: 290190018033025	Block: 290190005002004
Block: 290190018033026	Block: 290190005002005
Block: 290190018033027	Block: 290190005002006
Block: 290190018033028	Block: 290190005002007
Block: 290190018033029	Block: 290190005002008
Block: 290190018033030	Block: 290190005002009
Block: 290190018033031	Block: 290190005002010
Block: 290190018033032	Block: 290190005002011
Block: 290190018033033	Block: 290190005002012
Block: 290190018033034	Block: 290190005002013
Block: 290190018033035	Block: 290190005002014
Block: 290190018033036	Block: 290190005002016
Block: 290190018033037	Block: 290190005002017
Block: 290190018033038	Block: 290190005002018
Block: 290190018033039	Block: 290190005002019
Block: 290190018033040	Block: 290190005002020
Block: 290190018033041	Block: 290190005002023
Block: 290190018033044	Block: 290190005002028
Block: 290190018033045	Block: 290190005003000
Block: 290190018033046	Block: 290190005003001
Block: 290190018033047	Block: 290190005003002
Block: 290190018033048	VTD: 21
Block: 290190018033049	Block: 290190018061001
Block: 290190018062008	Block: 290190018061002
Block: 290190018062009	Block: 290190018061003
Block: 290190018062010	Block: 290190018061004
Block: 290190018062011	Block: 290190018061007
Block: 290190018062013	Block: 290190018061008
Block: 290190018062014	Block: 290190018061009
Block: 290190018062046	Block: 290190018061010
Block: 290190018062047	Block: 290190018061011
VTD: 1B	Block: 290190018061012
VTD: 1E	Block: 290190018061016
VTD: 1I	Block: 290190018061017
VTD: 1M	Block: 290190018071011
Block: 290190005001000	Block: 290190018071012
Block: 290190005001001	Block: 290190018071013
Block: 290190005001002	Block: 290190018071014
Block: 290190005001003	Block: 290190018071015
Block: 290190005001004	Block: 290190018071016
Block: 290190005001005	Block: 290190018071022
Block: 290190005001006	Block: 290190018071023
Block: 290190005001007	Block: 290190018071024
Block: 290190005001008	Block: 290190018071025

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290190018071026	Block: 290190018072010
Block: 290190018071027	VTD: 30
Block: 290190018071028	VTD: 31
Block: 290190018072012	VTD: 32
Block: 290190018072014	VTD: 33
Block: 290190018072017	VTD: 34
Block: 290190018072018	VTD: 35
Block: 290190018072022	VTD: 36
Block: 290190018072023	VTD: 37
VTD: 25	VTD: 38
Block: 290190016021018	Block: 290190018033000
Block: 290190016021019	Block: 290190018033001
Block: 290190016021020	Block: 290190018033002
Block: 290190016021021	Block: 290190018033003
Block: 290190016021022	Block: 290190018033004
Block: 290190016021023	Block: 290190018033005
Block: 290190016021024	Block: 290190018033006
Block: 290190016021025	Block: 290190018033007
Block: 290190016021026	Block: 290190018033042
Block: 290190016021027	Block: 290190018033043
Block: 290190016021028	Block: 290190018033050
Block: 290190016021029	Block: 290190018033051
Block: 290190016021030	Block: 290190018062000
Block: 290190016021031	Block: 290190018062001
Block: 290190016021032	Block: 290190018062002
Block: 290190016021033	Block: 290190018062003
Block: 290190016021036	Block: 290190018062004
Block: 290190016021037	Block: 290190018062005
Block: 290190016022000	Block: 290190018062006
Block: 290190016022023	Block: 290190018062007
Block: 290190016022024	Block: 290190018062012
Block: 290190016023031	Block: 290190018062015
Block: 290190016023032	Block: 290190018062016
Block: 290190016023033	Block: 290190018062017
Block: 290190016023035	Block: 290190018062018
Block: 290190016023036	Block: 290190018062019
VTD: 26	Block: 290190018062020
VTD: 27	Block: 290190018062021
VTD: 28	Block: 290190018062022
VTD: 29	Block: 290190018062023
VTD: 2K	Block: 290190018062024
Block: 290190018072001	Block: 290190018062025
Block: 290190018072002	Block: 290190018062026
Block: 290190018072003	Block: 290190018062027
Block: 290190018072004	Block: 290190018062028
Block: 290190018072005	Block: 290190018062029
Block: 290190018072006	Block: 290190018062030
Block: 290190018072007	Block: 290190018062031
Block: 290190018072008	Block: 290190018062033

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290190018062035	VTD: 5H
Block: 290190018062036	VTD: 5I
Block: 290190018062037	VTD: 5J
Block: 290190018062038	VTD: 5K
Block: 290190018062054	VTD: 5L
VTD: 3E	VTD: 5M
VTD: 3M	VTD: 5N
VTD: 4I	VTD: 5P
Block: 290190010031006	VTD: 6A
Block: 290190010031008	VTD: 6B
Block: 290190010031009	VTD: 6C
Block: 290190010031014	VTD: 6D
Block: 290190010031016	VTD: 6E
Block: 290190010031018	VTD: 6F
Block: 290190010031023	VTD: 6G
Block: 290190010031036	VTD: 6H
Block: 290190010031037	VTD: 6I
Block: 290190010031038	VTD: 6J
Block: 290190010031039	VTD: 6K
Block: 290190010031040	VTD: 6L
Block: 290190010031041	VTD: 6M
Block: 290190010031042	County: Callaway MO
Block: 290190010031043	County: Camden MO
Block: 290190010031044	VTD: Horseshoe Bend
Block: 290190010031046	VTD: Osage Beach 1
Block: 290190010031052	VTD: Osage Beach 2
VTD: 42	VTD: Osage Beach 3
VTD: 43	Block: 290299502011034
VTD: 44	Block: 290299502011056
VTD: 4A	Block: 290299502011057
VTD: 4B	Block: 290299502011058
VTD: 4C	Block: 290299502011059
VTD: 4D	Block: 290299502011061
VTD: 4E	Block: 290299502011062
VTD: 4F	Block: 290299502011064
VTD: 4G	Block: 290299502011065
VTD: 4H	Block: 290299502012000
VTD: 4I	Block: 290299502012003
VTD: 4J	Block: 290299502012005
VTD: 4K	Block: 290299502012012
VTD: 4L	Block: 290299502012013
VTD: 4M	Block: 290299502012014
VTD: 5A	Block: 290299502012015
VTD: 5B	Block: 290299502012016
VTD: 5C	Block: 290299502012018
VTD: 5D	Block: 290299502012019
VTD: 5E	Block: 290299502012020
VTD: 5F	Block: 290299502012021
VTD: 5G	Block: 290299502012024

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290299502012025	VTD: De Soto W-1
Block: 290299502012026	VTD: De Soto W-2
Block: 290299502012048	VTD: De Soto W-3
Block: 290299502013019	VTD: De Soto W-4
Block: 290299502023033	VTD: Dulin Creek
VTD: Sunrise Beach 1	VTD: Goldman
VTD: Sunrise Beach 3	VTD: Grubville
Block: 290299511011055	VTD: Grubville 2
Block: 290299511021005	VTD: High Ridge
Block: 290299511021017	VTD: Hillsboro W-1
Block: 290299511021018	VTD: Hillsboro W-2
Block: 290299511021019	VTD: Hillsboro W-3
Block: 290299511021020	VTD: Hillsboro W-4
Block: 290299511022000	VTD: Hoene Springs
Block: 290299511022001	VTD: House Springs
Block: 290299512021002	VTD: Lake Tekawitha
Block: 290299512021003	VTD: Lake Tishomingo
Block: 290299512021004	VTD: Meramec Valley
Block: 290299512021005	VTD: North Jefferson
Block: 290299512021044	Block: 290997002062004
Block: 290299512021045	Block: 290997002062005
Block: 290299512021046	Block: 290997002072000
Block: 290299512021065	Block: 290997002072001
Block: 290299512021066	Block: 290997002072002
Block: 290299512021072	Block: 290997002072003
Block: 290299512021096	Block: 290997002072004
County: Cole MO	Block: 290997002072005
County: Cooper MO	Block: 290997002072006
County: Crawford MO	Block: 290997002072007
County: Gasconade MO	Block: 290997002072008
County: Jefferson MO	Block: 290997002072009
VTD: Brennan	Block: 290997002072010
Block: 290997002111020	Block: 290997002072011
Block: 290997002111021	Block: 290997002072012
Block: 290997003032017	Block: 290997002072013
Block: 290997003051001	Block: 290997002072014
Block: 290997003051003	Block: 290997002072017
Block: 290997003052001	Block: 290997002072018
Block: 290997003052002	Block: 290997002072019
Block: 290997003052003	Block: 290997002072020
Block: 290997003052004	Block: 290997002072021
Block: 290997003052005	Block: 290997002072022
Block: 290997003052025	Block: 290997002072023
VTD: Byrnes Mill W-1	Block: 290997002072024
VTD: Byrnes Mill W-2	Block: 290997002072025
VTD: Byrnes Mill W-3	Block: 290997002111019
VTD: Byrnesville	Block: 290997002113004
VTD: Cedar Hill	Block: 290997002113005
VTD: Cedar Hill Lakes	Block: 290997002113006

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290997002113007	Block: 290997013003014
Block: 290997002113008	Block: 290997013003015
Block: 290997002113009	Block: 290997013003017
Block: 290997002113012	Block: 290997013003018
Block: 290997002113013	Block: 290997013003019
Block: 290997002113014	Block: 290997013003021
Block: 290997002113015	Block: 290997013003022
Block: 290997002113016	Block: 290997014012008
Block: 290997002113017	Block: 290997014012009
Block: 290997002113019	Block: 290997014012017
Block: 290997003022000	Block: 290997014012021
Block: 290997003022001	Block: 290997014012022
Block: 290997003022002	Block: 290997014012023
Block: 290997003022015	Block: 290997014012064
Block: 290997003023002	Block: 290997014012065
Block: 290997003063001	Block: 290997014012066
Block: 290997003063003	Block: 290997014012067
Block: 290997003063004	VTD: Victoria
Block: 290997003063005	Block: 290997010011036
VTD: Northwest	Block: 290997010013008
VTD: Parkdale	Block: 290997010013032
VTD: Peaceful Village	Block: 290997010013033
VTD: Raintree	Block: 290997010021020
VTD: Rockwood	Block: 290997010021022
VTD: Scotsdale	Block: 290997010021023
VTD: Valle	Block: 290997010021024
Block: 290997010023040	Block: 290997010022000
Block: 290997010023041	Block: 290997010022001
Block: 290997012006047	Block: 290997010022002
Block: 290997012006053	Block: 290997010022003
Block: 290997012006056	Block: 290997010022004
Block: 290997012006061	Block: 290997010022005
Block: 290997012006062	Block: 290997010022006
Block: 290997013001001	Block: 290997010022007
Block: 290997013001002	Block: 290997010022010
Block: 290997013001003	Block: 290997010022011
Block: 290997013001004	Block: 290997010022012
Block: 290997013001055	Block: 290997010022017
Block: 290997013001062	Block: 290997010022018
Block: 290997013001063	Block: 290997010022020
Block: 290997013001064	Block: 290997010022021
Block: 290997013001065	Block: 290997010022022
Block: 290997013001066	Block: 290997010022024
Block: 290997013001067	Block: 290997010022025
Block: 290997013001070	Block: 290997010022026
Block: 290997013001075	Block: 290997010022027
Block: 290997013001077	Block: 290997010022029
Block: 290997013003003	Block: 290997010022030
Block: 290997013003013	Block: 290997010023007

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290997010023008	VTD: Community
Block: 290997010023009	Block: 291833120031006
Block: 290997010023010	Block: 291833120031007
Block: 290997010023011	Block: 291833120031008
Block: 290997010023014	Block: 291833120031009
Block: 290997010023015	Block: 291833120031010
Block: 290997010023016	Block: 291833120031011
Block: 290997010023017	Block: 291833120031012
Block: 290997010023018	Block: 291833120031013
Block: 290997010023022	Block: 291833120031014
Block: 290997010023023	Block: 291833120031016
Block: 290997010023024	Block: 291833120031017
Block: 290997010023025	Block: 291833120031018
Block: 290997010023026	Block: 291833120031024
Block: 290997010023027	Block: 291833120031025
Block: 290997010023028	Block: 291833120031026
Block: 290997010023032	Block: 291833120031027
Block: 290997010023033	Block: 291833120031028
Block: 290997010023034	Block: 291833120031029
Block: 290997010023036	Block: 291833120031031
Block: 290997010023037	Block: 291833120031032
Block: 290997012001000	Block: 291833120031033
Block: 290997012001028	Block: 291833120031034
Block: 290997012001029	Block: 291833120031035
Block: 290997012001030	Block: 291833120031036
VTD: Vineland	Block: 291833120031037
VTD: Ware	Block: 291833120031038
County: Maries MO	Block: 291833120031039
County: Miller MO	Block: 291833120031040
County: Moniteau MO	Block: 291833120031041
County: Montgomery MO	Block: 291833120031042
County: Osage MO	Block: 291833120032072
County: St. Charles MO	Block: 291833120032073
VTD: Adams	Block: 291833121921001
VTD: All Saints	Block: 291833121921002
Block: 291833117352019	Block: 291833121921005
Block: 291833117391011	Block: 291833121921006
Block: 291833117391012	Block: 291833121921007
VTD: Arlington	Block: 291833121921008
VTD: Aspen	Block: 291833121921017
VTD: Briarhill	Block: 291833121921018
VTD: Bryan	Block: 291833121921032
VTD: Canary	Block: 291833121941000
VTD: Cave Springs	Block: 291833121941001
VTD: Cedar	Block: 291833121941002
VTD: Cheshire	Block: 291833121941003
VTD: Civic	Block: 291833121941004
VTD: Claybrook	Block: 291833121941005
VTD: Coachman	Block: 291833121941006

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291833121941007	Block: 291833121951035
Block: 291833121941008	Block: 291833121951036
Block: 291833121941009	Block: 291833121951037
Block: 291833121941010	Block: 291833121951038
Block: 291833121941011	Block: 291833121951039
Block: 291833121941012	Block: 291833121951040
Block: 291833121941013	Block: 291833121951041
Block: 291833121941014	Block: 291833121951042
Block: 291833121941015	Block: 291833121951043
Block: 291833121941016	Block: 291833121951044
Block: 291833121941019	Block: 291833121951045
Block: 291833121941020	Block: 291833121951046
Block: 291833121941021	Block: 291833121951047
Block: 291833121941022	Block: 291833121951048
Block: 291833121941023	Block: 291833121951049
Block: 291833121942018	Block: 291833121951050
Block: 291833121942019	Block: 291833121951051
Block: 291833121942020	Block: 291833121951052
Block: 291833121942022	Block: 291833121951053
Block: 291833121942023	Block: 291833121951054
Block: 291833121951006	Block: 291833121951055
Block: 291833121951007	Block: 291833121951056
Block: 291833121951008	Block: 291833121951057
Block: 291833121951009	Block: 291833121951058
Block: 291833121951010	Block: 291833121951059
Block: 291833121951011	Block: 291833121951060
Block: 291833121951012	Block: 291833121951061
Block: 291833121951013	Block: 291833121951062
Block: 291833121951014	Block: 291833121951063
Block: 291833121951015	Block: 291833121951064
Block: 291833121951016	Block: 291833121951065
Block: 291833121951017	Block: 291833121951066
Block: 291833121951018	Block: 291833121951067
Block: 291833121951019	Block: 291833121951068
Block: 291833121951020	Block: 291833121951069
Block: 291833121951021	Block: 291833121951070
Block: 291833121951022	Block: 291833121952000
Block: 291833121951023	Block: 291833121952001
Block: 291833121951024	Block: 291833121952002
Block: 291833121951025	Block: 291833121952003
Block: 291833121951026	Block: 291833121952004
Block: 291833121951027	Block: 291833121952005
Block: 291833121951028	Block: 291833121952006
Block: 291833121951029	Block: 291833121952010
Block: 291833121951030	Block: 291833121952011
Block: 291833121951031	Block: 291833121952012
Block: 291833121951032	Block: 291833121952013
Block: 291833121951033	Block: 291833121952014
Block: 291833121951034	Block: 291833121952015

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291833121952016
Block: 291833121952017
Block: 291833121952018
Block: 291833121952019
Block: 291833121952020
Block: 291833121952021
Block: 291833121952022
Block: 291833121952023
Block: 291833121952024
Block: 291833121952025
Block: 291833121952026
Block: 291833121952027
Block: 291833121952028
Block: 291833121952029
Block: 291833121952030
Block: 291833121952031
Block: 291833121952032
Block: 291833121952033
Block: 291833121952034
Block: 291833121952035
Block: 291833121952036
Block: 291833121952037
Block: 291833121952038
Block: 291833121952039
Block: 291833121952040
Block: 291833121952041
Block: 291833121952042
Block: 291833121952043
Block: 291833121952044
Block: 291833121952045
Block: 291833121952046
Block: 291833121952047
Block: 291833121952048
Block: 291833121952049
Block: 291833121952050
Block: 291833121952051
Block: 291833121952052
Block: 291833121952053
Block: 291833121952054
Block: 291833121952055
Block: 291833121952056
Block: 291833121952057
Block: 291833121952058
VTD: Cottleville
VTD: Country Hill
VTD: Coverdell
VTD: Covilli
VTD: Discovery
Block: 291833117351000

Block: 291833117351001
Block: 291833117351002
Block: 291833117351003
Block: 291833117351004
Block: 291833117351005
Block: 291833117351006
Block: 291833117351007
Block: 291833117351008
Block: 291833117351009
Block: 291833117351010
Block: 291833117351011
Block: 291833117351012
Block: 291833117351013
Block: 291833117351014
Block: 291833117351015
Block: 291833117351016
Block: 291833117352000
Block: 291833117352017
Block: 291833117352020
Block: 291833117352021
Block: 291833117352023
VTD: Edgewood
VTD: Elks
VTD: Evergreen
VTD: Fairmount
VTD: Fairview
VTD: Fairways
VTD: Flint Hill
VTD: Foristell
Block: 291833120031000
Block: 291833120031001
Block: 291833120031002
Block: 291833120031003
Block: 291833120031004
Block: 291833120031015
Block: 291833120031019
Block: 291833120031020
Block: 291833120031021
Block: 291833120031022
Block: 291833120031023
Block: 291833120031030
Block: 291833120032000
Block: 291833120032001
Block: 291833120032002
Block: 291833120032003
Block: 291833120032004
Block: 291833120032005
Block: 291833120032006
Block: 291833120032007

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291833120032008	Block: 291833120032092
Block: 291833120032009	VTD: Fox
Block: 291833120032010	VTD: Glengate
Block: 291833120032011	Block: 291833117382025
Block: 291833120032012	VTD: Government
Block: 291833120032013	VTD: Graybridge
Block: 291833120032015	VTD: Green Forest
Block: 291833120032016	VTD: Hanover
Block: 291833120032017	VTD: Harmony
Block: 291833120032018	VTD: Harvester
Block: 291833120032019	VTD: Heritage
Block: 291833120032020	VTD: Hi Point
Block: 291833120032021	VTD: Highgrove
Block: 291833120032022	VTD: Hillcrest
Block: 291833120032023	Block: 291833117323000
Block: 291833120032024	Block: 291833117323005
Block: 291833120032025	Block: 291833117324000
Block: 291833120032026	Block: 291833117324001
Block: 291833120032027	Block: 291833117324002
Block: 291833120032028	Block: 291833117324003
Block: 291833120032029	Block: 291833117324004
Block: 291833120032030	Block: 291833117324005
Block: 291833120032031	Block: 291833117324006
Block: 291833120032032	Block: 291833117324007
Block: 291833120032033	Block: 291833117324008
Block: 291833120032034	Block: 291833117324009
Block: 291833120032035	Block: 291833117324010
Block: 291833120032036	Block: 291833117324011
Block: 291833120032037	Block: 291833117324012
Block: 291833120032038	Block: 291833117324013
Block: 291833120032039	Block: 291833117324016
Block: 291833120032040	Block: 291833117324021
Block: 291833120032041	Block: 291833117324022
Block: 291833120032042	Block: 291833117324023
Block: 291833120032043	Block: 291833117324024
Block: 291833120032044	Block: 291833117324025
Block: 291833120032045	Block: 291833117324026
Block: 291833120032046	Block: 291833117324027
Block: 291833120032047	Block: 291833117324028
Block: 291833120032048	Block: 291833117324029
Block: 291833120032049	Block: 291833117324030
Block: 291833120032050	Block: 291833117324031
Block: 291833120032051	Block: 291833117324032
Block: 291833120032052	Block: 291833117352001
Block: 291833120032053	Block: 291833117352003
Block: 291833120032057	Block: 291833117352004
Block: 291833120032066	Block: 291833117352005
Block: 291833120032067	Block: 291833117352006
Block: 291833120032068	Block: 291833117352007

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 291833117352008
Block: 291833117352009
Block: 291833117352010
Block: 291833117352011
Block: 291833117352012
Block: 291833117352013
Block: 291833117352014
Block: 291833117352015
Block: 291833117352022
Block: 291833117352024
Block: 291833117354005
VTD: Josephville
VTD: Kampville
VTD: Katy Trail
VTD: Lakes
VTD: Laura Hill
VTD: Lincoln
VTD: Mamelle
VTD: Marina
VTD: McClay
VTD: McNair
VTD: Meadow Valley
VTD: Mid Rivers
VTD: Montbrook
VTD: Montclair
VTD: Morningside
VTD: Mount Hope
VTD: Normandy
VTD: Oak Creek
VTD: Oaks
VTD: Orchard Farm
VTD: Parkwood
VTD: Peine
VTD: Pitman
VTD: Rabbit Run
VTD: Regatta Bay
Block: 291833119031001
Block: 291833119031003
Block: 291833119031021
Block: 291833119031022
Block: 291833119091006
Block: 291833119091008
Block: 291833119091009
Block: 291833119091010
Block: 291833119091011
Block: 291833119091012
Block: 291833119091013
Block: 291833119091014
Block: 291833119091015

Block: 291833119091016
Block: 291833119091017
Block: 291833119091018
Block: 291833119091019
Block: 291833119091020
Block: 291833119091021
Block: 291833119091022
Block: 291833119091023
Block: 291833119091024
Block: 291833119092001
Block: 291833119092003
Block: 291833119092004
Block: 291833119092005
Block: 291833119092006
Block: 291833119092007
Block: 291833119092008
Block: 291833119092009
Block: 291833119092010
Block: 291833119092011
Block: 291833119092012
Block: 291833119092013
Block: 291833119092016
Block: 291833119092017
Block: 291833119092018
Block: 291833119092019
Block: 291833119092020
Block: 291833119092021
Block: 291833119092022
Block: 291833119092023
Block: 291833119092024
Block: 291833119092025
Block: 291833119092026
Block: 291833119092027
Block: 291833119092028
Block: 291833119092029
Block: 291833119092030
Block: 291833119092031
Block: 291833119092032
Block: 291833119092033
VTD: River Bend
VTD: Rivers
VTD: Salt Lick
VTD: Shadow Creek
VTD: Shirewood
VTD: Shoshone
VTD: Sibley
VTD: Spencer
VTD: St. Andrews
VTD: St. Cletus

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: St. Jude	Block: 292198201082008
VTD: St. Marys	Block: 292198201082009
VTD: St. Paul	Block: 292198201082010
VTD: Sun Lake	Block: 292198201082011
VTD: Sunny Hill	Block: 292198201082012
VTD: Sycamore	Block: 292198201082013
VTD: Tanglewood	Block: 292198201082014
VTD: Timberwood	Block: 292198201082015
VTD: Treetop	Block: 292198201082016
VTD: Truman	Block: 292198201082017
VTD: Washington	Block: 292198201082018
VTD: Wheatfield	Block: 292198201082019
VTD: Whitmoor	Block: 292198201082020
VTD: Wilshire	Block: 292198201082021
VTD: Windcastle	Block: 292198201082022
VTD: Winds	Block: 292198201082024
VTD: Wolfrum	Block: 292198201082025
VTD: Woodcliff	Block: 292198201082026
VTD: Woodglen	Block: 292198201082027
VTD: Woodstream	Block: 292198201082028
County: Warren MO	Block: 292198201082032
VTD: Elkhorn North	Block: 292198201082036
VTD: North Hickory Grove	Block: 292198201082037
Block: 292198201081000	Block: 292198201082038
Block: 292198201081001	Block: 292198201082039
Block: 292198201081002	Block: 292198201082040
Block: 292198201081003	Block: 292198201082041
Block: 292198201081004	Block: 292198201082042
Block: 292198201081005	Block: 292198201082043
Block: 292198201081007	Block: 292198201082044
Block: 292198201081008	Block: 292198201082045
Block: 292198201081009	Block: 292198201082046
Block: 292198201081010	Block: 292198201082047
Block: 292198201081011	Block: 292198201082048
Block: 292198201081012	Block: 292198201082049
Block: 292198201081013	Block: 292198201082050
Block: 292198201081014	Block: 292198201082051
Block: 292198201081015	Block: 292198201082054
Block: 292198201081016	Block: 292198201082058
Block: 292198201081017	Block: 292198201084000
Block: 292198201081018	Block: 292198201084001
Block: 292198201082000	Block: 292198201084002
Block: 292198201082001	Block: 292198201084003
Block: 292198201082002	Block: 292198201084004
Block: 292198201082003	Block: 292198201084005
Block: 292198201082004	Block: 292198201084006
Block: 292198201082005	Block: 292198201084007
Block: 292198201082006	Block: 292198201084008
Block: 292198201082007	Block: 292198201084009

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 292198201084010	Block: 292198201041117
Block: 292198201084011	Block: 292198201041120
Block: 292198201084012	Block: 292198201041121
Block: 292198201084013	Block: 292198201041122
Block: 292198201084014	Block: 292198201041123
Block: 292198201084015	Block: 292198201041124
Block: 292198201084016	Block: 292198201041127
Block: 292198201084017	VTD: Warrenton Ward 2
Block: 292198201084018	Block: 292198201041118
Block: 292198201084019	Block: 292198201041119
Block: 292198201084020	Block: 292198201043052
Block: 292198201084021	Block: 292198201043057
Block: 292198201084022	Block: 292198201043058
Block: 292198201084023	Block: 292198201043064
Block: 292198201084024	Block: 292198201043065
Block: 292198201084025	Block: 292198201043066
Block: 292198201084026	Block: 292198201043067
Block: 292198201084027	Block: 292198201043068
Block: 292198201084028	Block: 292198201043069
Block: 292198201084029	Block: 292198201043070
Block: 292198201084030	Block: 292198201043071
Block: 292198201084032	Block: 292198201051021
Block: 292198201084033	Block: 292198201051022
Block: 292198201092000	Block: 292198201051023
Block: 292198201092008	Block: 292198201051025
Block: 292198201092009	Block: 292198201061000
Block: 292198201092010	VTD: Warrenton Ward 3
VTD: Pendleton	Block: 292198201051008
Block: 292198201041088	Block: 292198201051011
Block: 292198201041089	Block: 292198201051012
Block: 292198201041093	Block: 292198201051013
Block: 292198201041094	Block: 292198201051014
Block: 292198201041095	Block: 292198201051015
Block: 292198201041096	Block: 292198201051016
Block: 292198201041097	Block: 292198201051017
Block: 292198201041098	Block: 292198201051018
Block: 292198201041100	Block: 292198201051019
Block: 292198201041104	Block: 292198201051020
Block: 292198201041106	Block: 292198201051024
Block: 292198201041107	Block: 292198201052009
Block: 292198201041108	Block: 292198201052010
Block: 292198201041109	Block: 292198201052012
Block: 292198201041110	Block: 292198201052013
Block: 292198201041111	Block: 292198201052014
Block: 292198201041112	Block: 292198201052015
Block: 292198201041113	Block: 292198201052016
Block: 292198201041114	Block: 292198201052017
Block: 292198201041115	Block: 292198201052019
Block: 292198201041116	Block: 292198201052020

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 292198201052021	Block: 292198201082035
Block: 292198201052022	Block: 292198201082052
Block: 292198201052032	Block: 292198201082053
Block: 292198201052033	Block: 292198201082055
Block: 292198201052034	Block: 292198201082056
Block: 292198201071014	Block: 292198201082057
Block: 292198201071056	Block: 292198201083000
VTD: Weeks	Block: 292198201083001
VTD: Wright City Ward 1	Block: 292198201083002
Block: 292198201081019	Block: 292198201083003
Block: 292198201081020	Block: 292198201083004
Block: 292198201082023	Block: 292198201083005
Block: 292198201082029	Block: 292198201084031
Block: 292198201082030	Block: 292198201091001
Block: 292198201082031	Block: 292198201092043
Block: 292198201082033	County: Washington MO
Block: 292198201082034	

128.464. FOURTH CONGRESSIONAL DISTRICT (2020 CENSUS). — The fourth congressional district shall be composed of the following:

County: Barton MO	VTD: 1D
County: Bates MO	VTD: 1F
County: Benton MO	VTD: 1G
County: Boone MO	VTD: 1J
VTD: 07	VTD: 1K
VTD: 08	VTD: 1L
VTD: 09	VTD: 1M
VTD: 10	Block: 290190021003001
VTD: 11	Block: 290190021003019
VTD: 12	Block: 290190021003020
VTD: 15	Block: 290190021003021
VTD: 16	Block: 290190021003031
VTD: 17	Block: 290190021003032
VTD: 18	Block: 290190021003033
Block: 290190018032015	Block: 290190021003039
Block: 290190018032016	Block: 290190021003040
Block: 290190018032018	VTD: 20
Block: 290190018032033	VTD: 21
Block: 290190018032034	Block: 290190013003003
Block: 290190018032035	Block: 290190013003004
Block: 290190018032036	Block: 290190013003006
Block: 290190018032040	Block: 290190013003008
Block: 290190018032041	Block: 290190013003009
Block: 290190018032042	Block: 290190013003023
Block: 290190018032043	Block: 290190018072000
Block: 290190018032044	VTD: 22
VTD: 19	VTD: 23
VTD: 1A	VTD: 24
VTD: 1C	VTD: 25

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290190016023003
VTD: 2A
VTD: 2B
VTD: 2C
VTD: 2D
VTD: 2F
VTD: 2G
VTD: 2H
VTD: 2I
VTD: 2J
VTD: 2K
Block: 290190013003002
Block: 290190013003005
Block: 290190013003007
Block: 290190013003010
Block: 290190013003024
Block: 290190013003025
Block: 290190013003026
Block: 290190013003027
VTD: 2L
VTD: 38
Block: 290190018032038
Block: 290190018032039
VTD: 39
VTD: 3A
VTD: 3B
VTD: 3C
VTD: 3D
VTD: 3F
VTD: 3G
VTD: 3H
VTD: 3I
VTD: 3J
VTD: 3L
VTD: 3N
VTD: 40
VTD: 41
Block: 290190015062025
Block: 290190015062052
Block: 290190015062056
Block: 290190015062059
Block: 290190015062061
Block: 290190016031013
Block: 290190016031018
Block: 290190016031023
Block: 290190016031027
Block: 290190016031028
Block: 290190016031030
Block: 290190016031038

Block: 290190016031039
Block: 290190016031040
Block: 290190016041000
Block: 290190016041001
Block: 290190016041002
Block: 290190016041003
Block: 290190016041004
Block: 290190016041006
Block: 290190016041007
Block: 290190016041008
Block: 290190016041009
Block: 290190016041016
Block: 290190016041019
Block: 290190016042000
Block: 290190016042018
VTD: 45
County: Camden MO
VTD: Barnumton
VTD: Camdenton 1
VTD: Camdenton 2
VTD: Camdenton 3
VTD: Climax Springs
VTD: Decaturville
VTD: Freedom
VTD: Greenvew
VTD: Ha Ha Tonka
VTD: Hillhouse
VTD: Linn Creek
VTD: Macks Creek
VTD: Montreal
VTD: Osage Beach 3
Block: 290299502011032
Block: 290299502011033
Block: 290299502011060
Block: 290299502011063
Block: 290299502011066
Block: 290299502011067
Block: 290299502011068
Block: 290299502011069
Block: 290299502011072
Block: 290299502011073
Block: 290299502011076
Block: 290299502012006
Block: 290299502012007
Block: 290299502012008
Block: 290299502012009
Block: 290299502012010
Block: 290299502012011
Block: 290299502012027

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290299502012028	Block: 290299502023016
Block: 290299502012029	Block: 290299502023017
Block: 290299502012030	Block: 290299502023018
Block: 290299502012031	Block: 290299502023019
Block: 290299502012032	Block: 290299502023020
Block: 290299502012033	Block: 290299502023034
Block: 290299502012034	Block: 290299506002000
Block: 290299502012035	Block: 290299506002001
Block: 290299502012036	Block: 290299506002002
Block: 290299502012037	Block: 290299506002003
Block: 290299502012038	Block: 290299506002004
Block: 290299502012039	Block: 290299506002005
Block: 290299502012040	Block: 290299506002006
Block: 290299502012041	Block: 290299506002007
Block: 290299502012042	Block: 290299506002008
Block: 290299502012043	Block: 290299506002009
Block: 290299502012044	Block: 290299506002010
Block: 290299502012045	Block: 290299506002011
Block: 290299502012046	Block: 290299506002014
Block: 290299502012047	Block: 290299506002015
Block: 290299502012049	Block: 290299506002016
Block: 290299502013028	Block: 290299506002019
Block: 290299502013029	Block: 290299506002034
Block: 290299502013030	Block: 290299506002035
Block: 290299502013031	Block: 290299506002036
Block: 290299502013032	VTD: Roach
Block: 290299502013033	VTD: Stoutland
Block: 290299502013034	VTD: Sunny Slope
Block: 290299502013035	VTD: Sunrise Beach 2
Block: 290299502013036	VTD: Sunrise Beach 3
Block: 290299502013037	Block: 290299511021008
Block: 290299502013038	Block: 290299511021009
Block: 290299502013039	Block: 290299511021010
Block: 290299502013040	Block: 290299511021011
Block: 290299502013041	Block: 290299511021012
Block: 290299502013042	Block: 290299511021013
Block: 290299502013044	Block: 290299511021014
Block: 290299502023000	Block: 290299511021015
Block: 290299502023001	Block: 290299511021021
Block: 290299502023005	Block: 290299511021022
Block: 290299502023006	Block: 290299511021023
Block: 290299502023007	Block: 290299511021024
Block: 290299502023008	Block: 290299511021025
Block: 290299502023009	Block: 290299511021026
Block: 290299502023010	Block: 290299511021027
Block: 290299502023011	Block: 290299511021028
Block: 290299502023013	Block: 290299511021029
Block: 290299502023014	Block: 290299511021030
Block: 290299502023015	Block: 290299511021031

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290299511021032
Block: 290299511021033
Block: 290299511021034
Block: 290299511021035
Block: 290299511021036
Block: 290299511021037
Block: 290299511021038
Block: 290299511021039
Block: 290299511021040
Block: 290299511021041
Block: 290299511021042
Block: 290299511022003
Block: 290299511022004
Block: 290299511022005
Block: 290299511022006
Block: 290299511022007
Block: 290299511022008
Block: 290299511022009
Block: 290299511022010
Block: 290299511022011
Block: 290299511022012
Block: 290299511022013
Block: 290299511022014
Block: 290299511022015
Block: 290299511022016
Block: 290299511022017
Block: 290299511022018
Block: 290299511022019
Block: 290299511022020
Block: 290299511022021
Block: 290299511022022
Block: 290299511022023
Block: 290299511022024
Block: 290299511022025
Block: 290299511022026
Block: 290299511022027
Block: 290299511022028
Block: 290299511022029
Block: 290299511022030
Block: 290299511022031
Block: 290299511022032
Block: 290299511022033
Block: 290299511022034
Block: 290299511022035
Block: 290299511022036
Block: 290299511022037
Block: 290299511022038
Block: 290299511022039
Block: 290299511022040

Block: 290299511022041
Block: 290299511022042
Block: 290299511022043
Block: 290299511022044
Block: 290299511022045
Block: 290299511022046
Block: 290299511022047
Block: 290299511022048
Block: 290299511022049
Block: 290299511022050
Block: 290299511022051
Block: 290299511022052
Block: 290299511022053
Block: 290299511022054
Block: 290299511022055
Block: 290299511022056
Block: 290299511022057
Block: 290299511022058
Block: 290299511022059
Block: 290299511022060
Block: 290299511022061
Block: 290299511022062
Block: 290299512021006
Block: 290299512021007
Block: 290299512021008
Block: 290299512021015
Block: 290299512021031
Block: 290299512021032
Block: 290299512021033
Block: 290299512021034
Block: 290299512021036
Block: 290299512021037
Block: 290299512021038
Block: 290299512021042
Block: 290299512021043
Block: 290299512021067
Block: 290299512021068
Block: 290299512021069
Block: 290299512021070
Block: 290299512021071
Block: 290299512021083
Block: 290299512021084
Block: 290299512021085
Block: 290299512021086
Block: 290299512021087
Block: 290299512021088
Block: 290299512021089
Block: 290299512021090
Block: 290299512021091

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290299512021092	Block: 290950148063006
Block: 290299512021093	Block: 290950148063007
Block: 290299512021094	Block: 290950148063008
Block: 290299512021097	Block: 290950148063009
VTD: Wilson Bend	Block: 290959892001002
County: Cass MO	Block: 290959892001003
County: Cedar MO	Block: 290959892001004
County: Dade MO	Block: 290959892001005
County: Dallas MO	Block: 290959892001006
County: Henry MO	VTD: Sni-A-Bar 09
County: Hickory MO	VTD: Sni-A-Bar 10
County: Howard MO	VTD: Sni-A-Bar 11
County: Jackson MO	VTD: Sni-A-Bar 12
VTD: Prairie 52	VTD: Sni-A-Bar 13
VTD: Prairie 56	VTD: Sni-A-Bar 14
VTD: Prarie 58	VTD: Sni-A-Bar 15
VTD: Prarie 61	VTD: Sni-A-Bar 16
VTD: Prarie 63	VTD: Sni-A-Bar 20
VTD: Sni-A-Bar 05	VTD: Sni-A-Bar 21
VTD: Sni-A-Bar 07	Block: 290950141272000
VTD: Sni-A-Bar 08	Block: 290950141272005
Block: 290950148042027	VTD: Sni-A-Bar 23
Block: 290950148042028	VTD: Sni-A-Bar 29
Block: 290950148061015	VTD: Sni-A-Bar 30
Block: 290950148061016	VTD: Sni-A-Bar 31
Block: 290950148061017	VTD: Sni-A-Bar 32
Block: 290950148061018	VTD: Sni-A-Bar 33
Block: 290950148062000	VTD: Sni-A-Bar 37
Block: 290950148062001	VTD: Sni-A-Bar 38
Block: 290950148062002	VTD: Sni-A-Bar 39
Block: 290950148062003	VTD: Sni-A-Bar 40
Block: 290950148062004	VTD: Sni-A-Bar 41
Block: 290950148062005	VTD: Sni-A-Bar 42
Block: 290950148062006	VTD: Sni-A-Bar 43
Block: 290950148062007	VTD: Sni-A-Bar 44
Block: 290950148062008	VTD: Sni-A-Bar 45
Block: 290950148062009	VTD: Sni-A-Bar 46
Block: 290950148062010	VTD: Sni-A-Bar 47
Block: 290950148062011	VTD: Sni-A-Bar 48
Block: 290950148062012	VTD: Sni-A-Bar 49
Block: 290950148062013	VTD: Sni-A-Bar 50
Block: 290950148062014	Block: 290950149031031
Block: 290950148062015	Block: 290950149031032
Block: 290950148063000	Block: 290950149031064
Block: 290950148063001	VTD: Sni-A-Bar 51
Block: 290950148063002	VTD: Sni-A-Bar 52
Block: 290950148063003	VTD: Sni-A-Bar 83
Block: 290950148063004	VTD: Van Buren 01
Block: 290950148063005	VTD: Van Buren 02

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: Van Buren 03	Block: 292254701022020
VTD: Van Buren 04	Block: 292254701022021
Block: 290950139182011	Block: 292254701022022
Block: 290950139182016	Block: 292254701022023
VTD: Van Buren 07	Block: 292254701022024
VTD: Van Buren 08	Block: 292254701022025
VTD: Van Buren 09	Block: 292254701022026
VTD: Van Buren 10	Block: 292254701022027
VTD: Van Buren 11	Block: 292254701022028
VTD: Van Buren 12	Block: 292254701022029
VTD: Van Buren 13	Block: 292254701022030
VTD: Van Buren 14	Block: 292254701022031
VTD: Van Buren 15	Block: 292254701022032
VTD: Van Buren 16	Block: 292254701022033
VTD: Van Buren 17	Block: 292254701022034
VTD: Van Buren 18	Block: 292254701022035
VTD: Van Buren 19	Block: 292254701022036
County: Johnson MO	Block: 292254701022037
County: Laclede MO	Block: 292254701022038
County: Lafayette MO	Block: 292254701022039
County: Morgan MO	Block: 292254701022040
County: Pettis MO	Block: 292254701022041
County: Polk MO	Block: 292254701022042
County: Pulaski MO	Block: 292254701022043
County: Saline MO	Block: 292254701022044
County: St. Clair MO	Block: 292254701022045
County: Vernon MO	Block: 292254701022046
County: Webster MO	Block: 292254701022047
VTD: East Ozark	Block: 292254701022048
VTD: Grant	Block: 292254701022049
Block: 292254701021041	Block: 292254701022050
Block: 292254701021042	Block: 292254701022051
Block: 292254701022000	Block: 292254701022052
Block: 292254701022001	Block: 292254701022053
Block: 292254701022002	Block: 292254701022054
Block: 292254701022003	Block: 292254701022055
Block: 292254701022004	Block: 292254701022056
Block: 292254701022005	Block: 292254701022057
Block: 292254701022006	Block: 292254701022058
Block: 292254701022007	Block: 292254701022059
Block: 292254701022008	Block: 292254701022061
Block: 292254701022009	Block: 292254701023081
Block: 292254701022010	Block: 292254701023082
Block: 292254701022011	Block: 292254701023085
Block: 292254701022012	Block: 292254701023086
Block: 292254701022013	VTD: High Prairie
Block: 292254701022014	VTD: Jackson
Block: 292254701022015	VTD: Marshfield East
Block: 292254701022019	VTD: Marshfield West

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: Niangua	Block: 292254703023002
VTD: Northview A	Block: 292254703023003
VTD: Northview B	Block: 292254703023004
Block: 292254702022011	Block: 292254703023005
Block: 292254702022012	Block: 292254703023006
Block: 292254702022013	Block: 292254703023014
Block: 292254702022016	Block: 292254703023015
Block: 292254702022019	Block: 292254703023016
Block: 292254702022020	Block: 292254703023017
Block: 292254702022021	Block: 292254703023018
Block: 292254702022022	Block: 292254703023019
Block: 292254702022023	Block: 292254703023020
Block: 292254702022024	Block: 292254703023021
Block: 292254702022025	Block: 292254703023022
Block: 292254702022037	Block: 292254703023023
Block: 292254702022038	Block: 292254703023024
Block: 292254702022039	Block: 292254703023025
Block: 292254702022040	Block: 292254703023026
Block: 292254703022009	Block: 292254703023027
Block: 292254703022011	Block: 292254703023034
Block: 292254703023000	VTD: Union
Block: 292254703023001	VTD: Washington

128.465. FIFTH CONGRESSIONAL DISTRICT (2020 CENSUS). — The fifth congressional district shall be composed of the following:

County: Clay MO	Block: 290470206034019
VTD: Chou 8	Block: 290470206034020
Block: 290470206032000	Block: 290470208032005
Block: 290470206032001	Block: 290470208032006
Block: 290470206032002	Block: 290470208032007
Block: 290470206032003	Block: 290470208032008
Block: 290470206032004	Block: 290470208032009
Block: 290470206032007	Block: 290470208032010
Block: 290470206032008	Block: 290470208033012
Block: 290470206032014	Block: 290470208033015
Block: 290470206032015	Block: 290470208033016
Block: 290470206032016	Block: 290470209021002
Block: 290470206032017	Block: 290470209021003
Block: 290470206032018	Block: 290470209021008
Block: 290470206034000	Block: 290470209021019
Block: 290470206034001	Block: 290470209021020
Block: 290470206034002	Block: 290470209021021
Block: 290470206034003	Block: 290470209021022
Block: 290470206034004	Block: 290470223023019
Block: 290470206034005	VTD: Gal 10
Block: 290470206034006	VTD: Gal 11
Block: 290470206034007	VTD: Gal 12
Block: 290470206034008	VTD: Gal 13
Block: 290470206034018	VTD: Gal 14

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: Gal 15	Block: 290470213141015
VTD: Gal 16	Block: 290470213141016
VTD: Gal 17	Block: 290470213141017
VTD: Gal 18	Block: 290470213141018
VTD: Gal 4	Block: 290470213141020
VTD: Gal 5	Block: 290470213141021
VTD: Gal 6	Block: 290470213141029
VTD: Gal 7	Block: 290470213142000
VTD: Gal 9	Block: 290470213142001
VTD: KC 21 P1 1	Block: 290470213142002
Block: 290470213031000	Block: 290470213142003
Block: 290470213031001	Block: 290470213142004
Block: 290470213031002	Block: 290470213142005
Block: 290470213031003	Block: 290470213142006
Block: 290470213031004	Block: 290470213142007
Block: 290470213031005	Block: 290470213142008
Block: 290470213031006	Block: 290470213142009
Block: 290470213031007	Block: 290470213142010
Block: 290470213031008	Block: 290470213142011
Block: 290470213031009	Block: 290470213142012
Block: 290470213031010	Block: 290470213142013
Block: 290470213031011	Block: 290470213142017
Block: 290470213031012	Block: 290470213142018
Block: 290470213031013	Block: 290470213142019
Block: 290470213031014	Block: 290470213143000
Block: 290470213031015	Block: 290470213143001
Block: 290470213031016	Block: 290470213143002
Block: 290470213031017	Block: 290470213143003
Block: 290470213031020	Block: 290470213143004
Block: 290470213031021	Block: 290470213143005
Block: 290470213111000	Block: 290470213143006
Block: 290470213111001	Block: 290470213143007
Block: 290470213111002	Block: 290470213143008
Block: 290470213111003	Block: 290470213143009
Block: 290470213111004	Block: 290470213143010
Block: 290470213111005	Block: 290470213143011
Block: 290470213111006	Block: 290470213143012
Block: 290470213111009	Block: 290470213143013
Block: 290470213141000	Block: 290470213143014
Block: 290470213141001	Block: 290470213143015
Block: 290470213141002	Block: 290470213143016
Block: 290470213141003	Block: 290470213143017
Block: 290470213141004	Block: 290470213143018
Block: 290470213141005	Block: 290470213143019
Block: 290470213141006	Block: 290470213143020
Block: 290470213141007	Block: 290470213143021
Block: 290470213141008	Block: 290470213143022
Block: 290470213141009	Block: 290470213143023
Block: 290470213141014	Block: 290470213143024

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290470213143025	VTD: KC 21-1
Block: 290470213143026	VTD: KC 21-10
Block: 290470213143027	VTD: KC 21-11
Block: 290470213143028	VTD: KC 21-12
Block: 290470213143029	VTD: KC 21-13
Block: 290470213143030	VTD: KC 21-14
Block: 290470213143031	VTD: KC 21-15
Block: 290470213143032	VTD: KC 21-16
Block: 290470213143033	VTD: KC 21-17
Block: 290470213143034	VTD: KC 21-18
Block: 290470213143035	VTD: KC 21-19
Block: 290470213143036	VTD: KC 21-2
Block: 290470213143037	VTD: KC 21-20
Block: 290470213144000	VTD: KC 21-21
Block: 290470213144001	VTD: KC 21-23
Block: 290470219003037	VTD: KC 21-24
Block: 290470219003041	VTD: KC 21-25
Block: 290470219003042	VTD: KC 21-26
Block: 290470219003043	VTD: KC 21-27
Block: 290470219003044	VTD: KC 21-3
Block: 290470219003045	VTD: KC 21-4
Block: 290470219003046	VTD: KC 21-5
Block: 290470219003047	VTD: KC 21-6
Block: 290470219003051	VTD: KC 21-7
Block: 290470219003052	VTD: KC 21-8
Block: 290470219003053	VTD: KC 21-9
Block: 290470219003054	VTD: Lib 5
Block: 290470219003055	Block: 290470208031017
Block: 290470219003056	Block: 290470208032000
Block: 290470219003057	Block: 290470208032001
Block: 290470219003058	Block: 290470208032002
Block: 290470219003061	Block: 290470208032003
Block: 290470219003062	Block: 290470208032004
Block: 290470219004039	Block: 290470208033004
Block: 290470219004040	Block: 290470208033005
Block: 290470219004042	Block: 290470208033006
Block: 290470219004043	Block: 290470208033007
Block: 290470219004044	Block: 290470208033008
Block: 290470219004048	Block: 290470208033009
Block: 290470219004049	Block: 290470208033010
Block: 290470219004050	Block: 290470208033011
Block: 290470219004051	Block: 290470208033013
Block: 290470219004052	Block: 290470208033014
Block: 290470219004053	Block: 290470208033017
Block: 290470219004054	Block: 290470209021004
Block: 290470219004055	Block: 290470209021005
Block: 290470219004059	Block: 290470209021006
Block: 290470219004064	Block: 290470209021007
Block: 290470219004065	County: Jackson MO

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: 1603	Block: 290950177004010
VTD: 412	Block: 290950177004011
VTD: 413	Block: 290950177004012
VTD: 414	Block: 290950177004013
VTD: 415	Block: 290950177004014
VTD: 616	Block: 290950177004015
VTD: 617	Block: 290950177004016
VTD: 618	VTD: Blue 03-05
VTD: 619	VTD: Blue 04-01
VTD: Blue 01-01	VTD: Blue 04-02
VTD: Blue 01-02	VTD: Blue 04-03
VTD: Blue 01-03	VTD: Blue 04-04
VTD: Blue 01-04	VTD: Blue 04-05
VTD: Blue 01-05	VTD: Blue 04-06
VTD: Blue 01-06	VTD: Blue 04-07
VTD: Blue 01-07	VTD: Blue 04-08
Block: 290950151001075	VTD: Blue 04-09
VTD: Blue 01-09	VTD: Blue 04-10
VTD: Blue 02-01	VTD: Blue 05-01
VTD: Blue 02-02	VTD: Blue 05-02
VTD: Blue 02-03	VTD: Blue 05-03
VTD: Blue 02-04	VTD: Blue 05-04
VTD: Blue 02-05	VTD: Blue 05-05
VTD: Blue 02-06	VTD: Blue 05-06
VTD: Blue 02-07	VTD: Blue 05-07
VTD: Blue 03-01	VTD: Blue 05-08
VTD: Blue 03-02	VTD: Blue 05-09
VTD: Blue 03-03	VTD: Blue 06-01
VTD: Blue 03-04	VTD: Blue 06-02
Block: 290950114064000	VTD: Blue 06-03
Block: 290950114064001	VTD: Blue 06-04
Block: 290950114064002	VTD: Blue 06-05
Block: 290950114064003	VTD: Blue 06-06
Block: 290950114064004	VTD: Blue 06-07
Block: 290950114064005	VTD: Blue 07-01
Block: 290950114064006	VTD: Blue 07-02
Block: 290950114064007	VTD: Blue 07-03
Block: 290950151002033	VTD: Blue 07-04
Block: 290950177002013	VTD: Blue 07-05
Block: 290950177004000	VTD: Blue 07-06
Block: 290950177004001	VTD: Blue 07-07
Block: 290950177004002	VTD: Blue 07-08
Block: 290950177004003	VTD: Blue 07-09
Block: 290950177004004	VTD: Blue 08-01
Block: 290950177004005	VTD: Blue 08-02
Block: 290950177004006	VTD: Blue 08-03
Block: 290950177004007	VTD: Blue 08-04
Block: 290950177004008	VTD: Blue 08-05
Block: 290950177004009	VTD: Blue 08-06

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: Blue 08-07	VTD: KC 106
VTD: Blue 08-08	VTD: KC 107
VTD: Brooking No. 1	VTD: KC 1101
VTD: Brooking No. 10	VTD: KC 1102
VTD: Brooking No. 11	VTD: KC 1103
VTD: Brooking No. 12	VTD: KC 1104
VTD: Brooking No. 13	VTD: KC 1105
VTD: Brooking No. 14	VTD: KC 1106
VTD: Brooking No. 15	VTD: KC 1107
VTD: Brooking No. 16	VTD: KC 1108
VTD: Brooking No. 17	VTD: KC 1109
VTD: Brooking No. 18	VTD: KC 1110
VTD: Brooking No. 19	VTD: KC 1111
VTD: Brooking No. 2	VTD: KC 1112
VTD: Brooking No. 20	VTD: KC 1113
VTD: Brooking No. 3	VTD: KC 1114
VTD: Brooking No. 4	VTD: KC 1201
VTD: Brooking No. 5	VTD: KC 1202
VTD: Brooking No. 6	VTD: KC 1203
VTD: Brooking No. 7	VTD: KC 1204
VTD: Brooking No. 8	VTD: KC 1205
VTD: Brooking No. 9	VTD: KC 1206
VTD: Fort Osage 01	VTD: KC 1207
Block: 290950177001027	VTD: KC 1208
Block: 290950177001029	VTD: KC 1209
Block: 290950177001030	VTD: KC 1210
Block: 290950177001031	VTD: KC 1211
Block: 290950177001032	VTD: KC 1212
Block: 290950177001033	VTD: KC 1301
Block: 290950177001034	VTD: KC 1303
Block: 290950177001046	VTD: KC 1304
Block: 290950177001049	VTD: KC 1305
VTD: KC 1001	VTD: KC 1306
VTD: KC 1002	VTD: KC 1307
VTD: KC 1003	VTD: KC 1308
VTD: KC 1004	VTD: KC 1309
VTD: KC 1005	VTD: KC 1310
VTD: KC 1006	VTD: KC 1311
VTD: KC 1007	VTD: KC 1312
VTD: KC 1008	VTD: KC 1313
VTD: KC 1009	VTD: KC 1401
VTD: KC 101	VTD: KC 1402
VTD: KC 1010	VTD: KC 1403
VTD: KC 1011	VTD: KC 1404
VTD: KC 1012	VTD: KC 1405
VTD: KC 102	VTD: KC 1406
VTD: KC 103	VTD: KC 1407
VTD: KC 104	VTD: KC 1408
VTD: KC 105	VTD: KC 1409

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: KC 1410	VTD: KC 1706
VTD: KC 1411	VTD: KC 1707
VTD: KC 1412	VTD: KC 1708
VTD: KC 1413	VTD: KC 1709
VTD: KC 1414	VTD: KC 1710
VTD: KC 1415	VTD: KC 1711
VTD: KC 1501	VTD: KC 1712
VTD: KC 1502	VTD: KC 1713
VTD: KC 1503	VTD: KC 1714
VTD: KC 1504	VTD: KC 1801
VTD: KC 1505	VTD: KC 1802
VTD: KC 1506	VTD: KC 1803
VTD: KC 1507	VTD: KC 1804
VTD: KC 1508	VTD: KC 1805
VTD: KC 1509	VTD: KC 1806
VTD: KC 1510	VTD: KC 1807
VTD: KC 1511	VTD: KC 1808
VTD: KC 1512	VTD: KC 1809
VTD: KC 1513	VTD: KC 1810
VTD: KC 1514	VTD: KC 1811
VTD: KC 1515	VTD: KC 1812
VTD: KC 1516	VTD: KC 1813
VTD: KC 1517	VTD: KC 1814
VTD: KC 1518	VTD: KC 1815
VTD: KC 1519	VTD: KC 1816
VTD: KC 1520	VTD: KC 1901
VTD: KC 1521	VTD: KC 1902
VTD: KC 1522	VTD: KC 1903
VTD: KC 1523	VTD: KC 1904
VTD: KC 1524	VTD: KC 1905
VTD: KC 1601	VTD: KC 1906
VTD: KC 1602	VTD: KC 1907
VTD: KC 1604	VTD: KC 1908
VTD: KC 1605	VTD: KC 1909
VTD: KC 1606	VTD: KC 1910
VTD: KC 1607	VTD: KC 1911
VTD: KC 1608	VTD: KC 1912
VTD: KC 1609	VTD: KC 1913
VTD: KC 1610	VTD: KC 1914
VTD: KC 1611	VTD: KC 1915
VTD: KC 1612	VTD: KC 1916
VTD: KC 1613	VTD: KC 1917
VTD: KC 1614	VTD: KC 1918
VTD: KC 1615	VTD: KC 1919
VTD: KC 1701	VTD: KC 1920
VTD: KC 1702	VTD: KC 1921
VTD: KC 1703	VTD: KC 1922
VTD: KC 1704	VTD: KC 1923
VTD: KC 1705	VTD: KC 2001

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: KC 2002	VTD: KC 2313
VTD: KC 2003	VTD: KC 2314
VTD: KC 2004	VTD: KC 2315
VTD: KC 2005	VTD: KC 2316
VTD: KC 2006	VTD: KC 2401
VTD: KC 2007	VTD: KC 2402
VTD: KC 2008	VTD: KC 2403
VTD: KC 2009	VTD: KC 2404
VTD: KC 201	VTD: KC 2405
VTD: KC 2010	VTD: KC 2406
VTD: KC 202	VTD: KC 2407
VTD: KC 203	VTD: KC 2408
VTD: KC 204	VTD: KC 2409
VTD: KC 207	VTD: KC 2410
VTD: KC 208	VTD: KC 2411
VTD: KC 209	VTD: KC 2412
VTD: KC 210	VTD: KC 2413
VTD: KC 212	VTD: KC 2414
VTD: KC 213	VTD: KC 2415
VTD: KC 214	VTD: KC 2416
VTD: KC 215	VTD: KC 2417
VTD: KC 216	VTD: KC 2418
VTD: KC 217	VTD: KC 2419
VTD: KC 218	VTD: KC 2420
VTD: KC 2201	VTD: KC 2421
VTD: KC 2202	VTD: KC 2422
VTD: KC 2203	VTD: KC 2423
VTD: KC 2204	VTD: KC 2424
VTD: KC 2205	VTD: KC 2425
VTD: KC 2206	VTD: KC 2426
VTD: KC 2207	VTD: KC 2427
VTD: KC 2208	VTD: KC 2428
VTD: KC 2209	VTD: KC 2429
VTD: KC 2210	VTD: KC 2430
VTD: KC 2211	VTD: KC 2431
VTD: KC 2212	VTD: KC 2501
VTD: KC 2213	VTD: KC 2502
VTD: KC 2301	VTD: KC 2503
VTD: KC 2302	VTD: KC 2504
VTD: KC 2303	VTD: KC 2505
VTD: KC 2304	VTD: KC 2506
VTD: KC 2305	VTD: KC 2507
VTD: KC 2306	VTD: KC 2508
VTD: KC 2307	VTD: KC 2509
VTD: KC 2308	VTD: KC 2510
VTD: KC 2309	VTD: KC 2511
VTD: KC 2310	VTD: KC 2512
VTD: KC 2311	VTD: KC 2513
VTD: KC 2312	VTD: KC 2514

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: KC 2601	VTD: KC 508
VTD: KC 2602	VTD: KC 509
VTD: KC 2603	VTD: KC 510
VTD: KC 2604	VTD: KC 511
VTD: KC 2605	VTD: KC 512
VTD: KC 2606	VTD: KC 513
VTD: KC 2607	VTD: KC 601
VTD: KC 2608	VTD: KC 602
VTD: KC 2609	VTD: KC 603
VTD: KC 2610	VTD: KC 604
VTD: KC 2611	VTD: KC 605
VTD: KC 2612	VTD: KC 606
VTD: KC 2613	VTD: KC 607
VTD: KC 301	VTD: KC 608
VTD: KC 302	VTD: KC 609
VTD: KC 303	VTD: KC 610
VTD: KC 304	VTD: KC 611
VTD: KC 305	VTD: KC 612
VTD: KC 306	VTD: KC 613
VTD: KC 307	VTD: KC 614
VTD: KC 308	VTD: KC 615
VTD: KC 309	VTD: KC 701
VTD: KC 310	VTD: KC 702
VTD: KC 311	VTD: KC 703
VTD: KC 312	VTD: KC 704
VTD: KC 313	VTD: KC 705
VTD: KC 314	VTD: KC 706
VTD: KC 315	VTD: KC 707
VTD: KC 316	VTD: KC 708
VTD: KC 317	VTD: KC 709
VTD: KC 318	VTD: KC 710
VTD: KC 401	VTD: KC 711
VTD: KC 402	VTD: KC 712
VTD: KC 403	VTD: KC 713
VTD: KC 404	VTD: KC 714
VTD: KC 405	VTD: KC 715
VTD: KC 406	VTD: KC 716
VTD: KC 407	VTD: KC 717
VTD: KC 408	VTD: KC 718
VTD: KC 409	VTD: KC 801
VTD: KC 410	VTD: KC 802
VTD: KC 411	VTD: KC 803
VTD: KC 501	VTD: KC 804
VTD: KC 502	VTD: KC 805
VTD: KC 503	VTD: KC 806
VTD: KC 504	VTD: KC 807
VTD: KC 505	VTD: KC 808
VTD: KC 506	VTD: KC 809
VTD: KC 507	VTD: KC 811

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

VTD: KC 812	VTD: Prairie 32
VTD: KC 813	VTD: Prairie 33
VTD: KC 814	VTD: Prairie 34
VTD: KC 815	VTD: Prairie 35
VTD: KC 901	VTD: Prairie 36
VTD: KC 902	VTD: Prairie 37
VTD: KC 903	VTD: Prairie 38
VTD: KC 904	VTD: Prairie 39
VTD: KC 905	VTD: Prairie 40
VTD: KC 906	VTD: Prairie 41
VTD: KC 907	VTD: Prairie 42
VTD: KC 908	VTD: Prairie 43
VTD: KC 909	VTD: Prairie 44
VTD: KC 910	VTD: Prairie 45
VTD: KC 911	VTD: Prairie 46
VTD: KC 913	VTD: Prairie 47
VTD: KC WD13 PCT1302	VTD: Prairie 48
VTD: KC WD2 PCT205	VTD: Prairie 49
VTD: KC WD2 PCT206	VTD: Prairie 50
VTD: KC WD2 PCT211	VTD: Prairie 51
VTD: KC WD8 PCT810	VTD: Prairie 59
VTD: KC1314	VTD: Prairie 60
VTD: Prairie 03	VTD: Prairie 62
VTD: Prairie 04	VTD: Prairie 01
VTD: Prairie 05	VTD: Prairie 02
VTD: Prairie 06	VTD: Prairie 10
VTD: Prairie 07	VTD: Prairie 25
VTD: Prairie 08	VTD: Prairie 53
VTD: Prairie 09	VTD: Prairie 54
VTD: Prairie 11	VTD: Prairie 55
VTD: Prairie 12	VTD: Prairie 57
VTD: Prairie 13	VTD: Sni-A-Bar 01
VTD: Prairie 14	VTD: Sni-A-Bar 02
VTD: Prairie 15	VTD: Sni-A-Bar 03
VTD: Prairie 16	VTD: Sni-A-Bar 04
VTD: Prairie 17	VTD: Sni-A-Bar 08
VTD: Prairie 18	Block: 290950148063010
VTD: Prairie 19	VTD: Sni-A-Bar 17
VTD: Prairie 20	VTD: Sni-A-Bar 18
VTD: Prairie 21	VTD: Sni-A-Bar 19
VTD: Prairie 22	VTD: Sni-A-Bar 21
VTD: Prairie 23	Block: 290950141231000
VTD: Prairie 24	Block: 290950141231001
VTD: Prairie 26	Block: 290950141231002
VTD: Prairie 27	Block: 290950141231003
VTD: Prairie 28	Block: 290950141231004
VTD: Prairie 29	Block: 290950141231005
VTD: Prairie 30	Block: 290950141231008
VTD: Prairie 31	Block: 290950141231009

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290950141241000	Block: 290950193022052
Block: 290950141241001	Block: 290950193022053
Block: 290950141241002	VTD: Sni-A-Bar 22
Block: 290950141241003	VTD: Sni-A-Bar 24
Block: 290950141241004	VTD: Sni-A-Bar 25
Block: 290950141241005	VTD: Sni-A-Bar 26
Block: 290950141241006	VTD: Sni-A-Bar 27
Block: 290950141241008	VTD: Sni-A-Bar 28
Block: 290950141241009	VTD: Sni-A-Bar 34
Block: 290950141241010	VTD: Sni-A-Bar 35
Block: 290950141241011	VTD: Sni-A-Bar 36
Block: 290950141241012	VTD: Van Buren 04
Block: 290950141241013	Block: 290950139182015
Block: 290950141241014	VTD: Van Buren 06
Block: 290950141241015	VTD: Washington 01
Block: 290950141241026	VTD: Washington 02
Block: 290950141272001	VTD: Washington 03
Block: 290950141272002	VTD: Washington 04
Block: 290950141272003	VTD: Washington 05
Block: 290950141272004	VTD: Washington 06
Block: 290950141272006	VTD: Washington 07
Block: 290950141272007	VTD: Washington 08
Block: 290950141272008	VTD: Washington 09
Block: 290950141272009	VTD: Washington 10
Block: 290950141272010	VTD: Washington 11
Block: 290950141272023	VTD: Washington 12
Block: 290950141272024	

128.466. SIXTH CONGRESSIONAL DISTRICT (2020 CENSUS). — The sixth congressional district shall be composed of the following:

County: Adair MO	VTD: FR 5
County: Andrew MO	VTD: KC 21 Lib 1
County: Atchison MO	VTD: KC 21 Lib 2
County: Audrain MO	VTD: KC 21 Lib 3
County: Buchanan MO	VTD: KC 21 Lib 4
County: Caldwell MO	VTD: KC 21 Lib 5
County: Carroll MO	VTD: KC 21 Lib 6
County: Chariton MO	VTD: KC 21 Pl 1
County: Clark MO	Block: 290470219003038
County: Clay MO	Block: 290470219003039
VTD: Chou 8	VTD: KC 21-22
Block: 290470223023015	VTD: Kry 1
Block: 290470223023016	VTD: Kry 2
Block: 290470223023017	VTD: Kry 3
Block: 290470223023023	VTD: Kry 4
VTD: FR 1	VTD: Lib 1
VTD: FR 2	VTD: Lib 10
VTD: FR 3	VTD: Lib 11
VTD: FR 4	VTD: Lib 12

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
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VTD: Lib 13	Block: 290470223023011
VTD: Lib 14	Block: 290470223023018
VTD: Lib 2	VTD: Lib 6
VTD: Lib 3	VTD: Lib 7
VTD: Lib 4	VTD: Lib 8
VTD: Lib 5	VTD: Lib 9
Block: 290470208021011	VTD: Pl 1
Block: 290470208021012	VTD: Pl 2
Block: 290470208021013	VTD: Pl 3
Block: 290470208021031	VTD: Wash 1
Block: 290470208021032	VTD: Wash 2
Block: 290470208021033	VTD: Wash 3
Block: 290470208021035	County: Clinton MO
Block: 290470208021036	County: Daviess MO
Block: 290470208021037	County: DeKalb MO
Block: 290470208021041	County: Gentry MO
Block: 290470208021043	County: Grundy MO
Block: 290470208021044	County: Harrison MO
Block: 290470208021045	County: Holt MO
Block: 290470208021046	County: Jackson MO
Block: 290470208021047	VTD: Blue 01-07
Block: 290470208021048	Block: 290950151001008
Block: 290470208021049	Block: 290950151001009
Block: 290470208021050	Block: 290950151001010
Block: 290470208021052	Block: 290950151001020
Block: 290470208021053	Block: 290950151001030
Block: 290470208021054	Block: 290950151001031
Block: 290470208031000	Block: 290950151001032
Block: 290470208031001	Block: 290950151001033
Block: 290470208031002	Block: 290950151001034
Block: 290470208031003	Block: 290950151001035
Block: 290470208031004	Block: 290950151001036
Block: 290470208031005	Block: 290950151001037
Block: 290470208031006	Block: 290950151001044
Block: 290470208031007	Block: 290950151001045
Block: 290470208031008	Block: 290950151001046
Block: 290470208031009	Block: 290950151001047
Block: 290470208031010	Block: 290950151001070
Block: 290470208031011	Block: 290950151001071
Block: 290470208031012	Block: 290950151001072
Block: 290470208031013	Block: 290950151001073
Block: 290470208031014	Block: 290950151001074
Block: 290470208031015	Block: 290950151001076
Block: 290470208031016	Block: 290950151001078
Block: 290470208033000	Block: 290950151001079
Block: 290470208033001	Block: 290950151001080
Block: 290470208033002	Block: 290950151001091
Block: 290470208033003	Block: 290950151001096
Block: 290470223023010	Block: 290950151001097

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290950151001100
 VTD: Blue 01-08
 VTD: Blue 03-04
 Block: 290950151002029
 VTD: Blue 03-06
 VTD: Blue 03-07
 VTD: Blue 03-08
 VTD: Blue 03-09
 VTD: Fort Osage 01
 Block: 290950177001028
 VTD: Fort Osage 02
 VTD: Fort Osage 03
 VTD: Fort Osage 04
 VTD: Fort Osage 05
 VTD: Fort Osage 06
 VTD: Fort Osage 07
 VTD: Fort Osage 08
 VTD: Fort Osage 09
 VTD: Fort Osage 10
 VTD: Sni-A-Bar 06
 VTD: Sni-A-Bar 50
 Block: 290950149031030
 Block: 290950149031063
 Block: 290950149031065

Block: 290950149033000
 Block: 290950149033021
 County: Knox MO
 County: Lewis MO
 County: Lincoln MO
 County: Linn MO
 County: Livingston MO
 County: Macon MO
 County: Marion MO
 County: Mercer MO
 County: Monroe MO
 County: Nodaway MO
 County: Pike MO
 County: Platte MO
 County: Putnam MO
 County: Ralls MO
 County: Randolph MO
 County: Ray MO
 County: Schuyler MO
 County: Scotland MO
 County: Shelby MO
 County: Sullivan MO
 County: Worth MO

128.467. SEVENTH CONGRESSIONAL DISTRICT (2020 CENSUS). — The seventh congressional district shall be composed of the following:

County: Barry MO	Block: 292254703022014
County: Christian MO	Block: 292254703022030
County: Greene MO	Block: 292254703022031
County: Jasper MO	Block: 292254703022032
County: Lawrence MO	Block: 292254703022033
County: McDonald MO	Block: 292254703022034
County: Newton MO	Block: 292254703022035
County: Stone MO	Block: 292254703023007
County: Taney MO	Block: 292254703023008
County: Webster MO	Block: 292254703023009
VTD: Benton	Block: 292254703023010
VTD: Diggins	Block: 292254703023011
VTD: Finley	Block: 292254703023012
VTD: Fordland	Block: 292254703023013
VTD: Grant	Block: 292254703023028
Block: 292254701022060	Block: 292254703023029
Block: 292254701022062	Block: 292254703023030
VTD: Hazelwood	Block: 292254703023031
VTD: Northview B	Block: 292254703023032
Block: 292254703022008	Block: 292254703023035
Block: 292254703022012	Block: 292254703023036
Block: 292254703022013	Block: 292254703023037

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

Block: 292254703023038	Block: 292254703023051
Block: 292254703023039	Block: 292254703023052
Block: 292254703023040	Block: 292254703023053
Block: 292254703023041	Block: 292254703023054
Block: 292254703023042	Block: 292254703023055
Block: 292254703023046	Block: 292254703023062
Block: 292254703023047	Block: 292254703023063
Block: 292254703023048	Block: 292254703023069
Block: 292254703023049	Block: 292254703023074
Block: 292254703023050	Block: 292254703023079

128.468. EIGHTH CONGRESSIONAL DISTRICT (2020 CENSUS). — The eighth congressional district shall be composed of the following:

County: Bollinger MO	Block: 290997003031005
County: Butler MO	Block: 290997003031006
County: Cape Girardeau MO	Block: 290997003031007
County: Carter MO	Block: 290997003031008
County: Dent MO	Block: 290997003031009
County: Douglas MO	Block: 290997003031010
County: Dunklin MO	Block: 290997003031011
County: Howell MO	Block: 290997003031012
County: Iron MO	Block: 290997003031013
County: Jefferson MO	Block: 290997003031014
VTD: Airport	Block: 290997003031015
VTD: American Legion	Block: 290997003031016
VTD: Antonia	Block: 290997003032000
VTD: Arnold W-1	Block: 290997003032001
VTD: Arnold W-2	Block: 290997003032002
VTD: Arnold W-3	Block: 290997003032003
VTD: Arnold W-4	Block: 290997003032004
VTD: Athena	Block: 290997003032005
VTD: Barnhart	Block: 290997003032006
VTD: Brennan	Block: 290997003032007
Block: 290997002101000	Block: 290997003032008
Block: 290997002101015	Block: 290997003032009
Block: 290997002111000	Block: 290997003032010
Block: 290997002111001	Block: 290997003032011
Block: 290997002111002	Block: 290997003032012
Block: 290997002111005	Block: 290997003032013
Block: 290997002111006	Block: 290997003032014
Block: 290997002111007	Block: 290997003032015
Block: 290997002111008	Block: 290997003033000
Block: 290997002111010	Block: 290997003033001
Block: 290997002111011	Block: 290997003033002
Block: 290997003031000	Block: 290997003033003
Block: 290997003031001	Block: 290997003033004
Block: 290997003031002	Block: 290997003033005
Block: 290997003031003	Block: 290997003033006
Block: 290997003031004	Block: 290997003033007

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

Block: 290997003033008
 Block: 290997003033009
 Block: 290997003033010
 Block: 290997003033011
 Block: 290997003033012
 Block: 290997003033013
 Block: 290997003033014
 Block: 290997003033015
 Block: 290997003033016
 Block: 290997003033017
 Block: 290997003033018
 Block: 290997003033019
 Block: 290997003051000
 Block: 290997003052000
 Block: 290997003052026
 VTD: Crystal City W-1
 VTD: Crystal City W-2
 VTD: Crystal City W-3
 VTD: Crystal City W-4
 VTD: Festus Outside
 VTD: Festus W-1
 VTD: Festus W-2
 VTD: Festus W-3
 VTD: Festus W-4
 VTD: Flamm City
 VTD: Hematite
 VTD: Herculaneum
 VTD: Herculaneum W-2
 VTD: Herculaneum W-3
 VTD: Imperial
 VTD: Imperial 2
 VTD: Jefferson Heights
 VTD: Jefferson R7
 VTD: Kimmswick W-1
 VTD: Lonedell
 VTD: Mapaville
 VTD: Marble Springs
 VTD: Mastodon
 VTD: Maxville
 VTD: Meramec Heights
 VTD: Miller
 VTD: Murphy
 VTD: North Jefferson
 Block: 290997002112008
 Block: 290997002112009
 Block: 290997002112010
 Block: 290997002112011
 Block: 290997002112012
 Block: 290997002112013

Block: 290997002112014
 Block: 290997002112015
 Block: 290997002112016
 VTD: Oakvale
 VTD: Olympian Village
 VTD: Otto
 VTD: Pevely W-1
 VTD: Pevely W-2
 VTD: Pevely W-3
 VTD: Pevely W-4
 VTD: Plattin
 VTD: Riverview
 VTD: Rock Creek
 VTD: Rock Creek 1
 VTD: Romaine Creek
 VTD: Saline
 VTD: Springdale
 VTD: Sunrise
 VTD: Valle
 Block: 290997013002004
 Block: 290997013002005
 Block: 290997013002006
 Block: 290997013003000
 Block: 290997013003001
 Block: 290997013003002
 Block: 290997013003012
 Block: 290997013003026
 Block: 290997014012007
 Block: 290997014012012
 VTD: Victoria
 Block: 290997010021006
 Block: 290997010021008
 Block: 290997010021019
 Block: 290997010021021
 Block: 290997010023004
 Block: 290997010023005
 Block: 290997010023006
 Block: 290997010023012
 Block: 290997010023013
 Block: 290997010023029
 Block: 290997010023030
 Block: 290997010023035
 VTD: Windsor
 County: Madison MO
 County: Mississippi MO
 County: New Madrid MO
 County: Oregon MO
 County: Ozark MO
 County: Pemiscot MO

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter in bold-face type is proposed language.

County: Perry MO
County: Phelps MO
County: Reynolds MO
County: Ripley MO
County: Scott MO
County: Shannon MO

County: St. Francois MO
County: Ste. Genevieve MO
County: Stoddard MO
County: Texas MO
County: Wayne MO
County: Wright MO

128.469. GEOGRAPHICAL MAP OF OFFICIAL CONGRESSIONAL DISTRICT BOUNDARIES TO BE PUBLISHED. — Upon passage and enactment of sections 128.461 to 128.468 and as provided to the Revisor of Statutes, the revisor of statutes shall publish the graphical map representation of the official congressional district boundaries as an appendix of the Revised Statutes of Missouri.

SECTION B. EFFECTIVE DATE. — Because immediate action is necessary to comply with the constitutional requirement, under Article III, Section 45 of the Constitution of Missouri, to draw congressional districts for the election of representatives to the 118th Congress of the United States to which the state of Missouri is entitled, the repeal and reenactment of sections 128.345, 128.346, and 128.348 and the enactment of sections 128.461, 128.462, 128.463, 128.464, 128.465, 128.466, 128.467, 128.468, and 128.469 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 128.345, 128.346, and 128.348 and the enactment of sections 128.461, 128.462, 128.463, 128.464, 128.465, 128.466, 128.467, 128.468, and 128.469 of Section A of this act shall be in full force and effect upon its passage and approval.

Approved May 18, 2022

SB 652

Enacts provisions relating to a sales tax exemption for the sale of certain tickets.

AN ACT to amend chapter 144, RSMo, by adding thereto one new section relating to a sales tax exemption for the sale of certain tickets.

SECTION

- A Enacting clause.
144.051 2026 FIFA World Cup soccer tournament, charges for admission not subject to state and local sales tax.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Chapter 144, RSMo, is amended by adding thereto one new section, to be known as section 144.051, to read as follows:

144.051. 2026 FIFA WORLD CUP SOCCER TOURNAMENT, CHARGES FOR ADMISSION NOT SUBJECT TO STATE AND LOCAL SALES TAX. — Beginning June 1, 2026, and ending July 31, 2026, in addition to the exemptions granted pursuant to the provisions of section 144.030, there is hereby exempted from the provisions of and the computation of the tax levied, assessed or payable pursuant to this chapter and the local sales tax law as defined in section 32.085, and section 238.235, all charges for admissions, as defined in section 144.010, to any of the matches of the 2026 FIFA World Cup soccer tournament which are held in any county with more than seven hundred thousand but fewer than eight hundred thousand inhabitants.

Approved June 23, 2022

SB 655

Enacts provisions relating to the Missouri local government employees' retirement system.

AN ACT to repeal section 70.631, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

SECTION

- A Enacting clause.
70.631 Addition of public safety personnel members to the system, how — requirements and limitations — applicable only in certain counties.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 70.631, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 70.631, to read as follows:

70.631. ADDITION OF PUBLIC SAFETY PERSONNEL MEMBERS TO THE SYSTEM, HOW — REQUIREMENTS AND LIMITATIONS — APPLICABLE ONLY IN CERTAIN COUNTIES. — 1. Each political subdivision may, by majority vote of its governing body, elect to cover emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the system to the board within ten days after such vote. The date in which the political subdivision's election becomes effective shall be the first day of the calendar month specified by such governing body, the first day of the calendar month next following receipt by the board of the certification of the election, or the effective date of the political subdivision's becoming an employer, whichever is the latest date. Such election shall not be changed after the effective date. If the election is made, the coverage provisions shall be applicable to all past and future employment with the employer by present and future employees. If a political subdivision makes no election under this section, no emergency telecommunicator, jailor, or emergency medical service personnel of the political subdivision shall be considered public safety personnel for purposes determining a minimum service retirement age as defined in section 70.600.

2. If an employer elects to cover emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the system, the employer's contributions shall be correspondingly changed effective the same date as the effective date of the political subdivision's election.

3. The limitation on increases in an employer's contributions provided by subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer making an election under the provisions of this section.

[4. The provisions of this section shall only apply to counties of the third classification and any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat, and any political subdivisions located, in whole or in part, within such counties.]

Approved June 16, 2022

SS SCS SB 672

Enacts provisions relating to workforce development.

AN ACT to repeal sections 173.2553 and 173.2554, RSMo, and to enact in lieu thereof three new sections relating to workforce development.

SECTION

- A Enacting clause.
- 21.915 Joint committee on rural economic development — members — duties — report.
- 173.2553 Grant established for postsecondary education — definitions — eligibility — implementation of program — criteria — sunset provision.
- 173.2554 Grant converted to loan, when — waiver, when — deferments or forbearances, when — fund created, use of moneys — rulemaking authority.
- 620.2250 Citation of law — definitions — TIME zones, procedure to establish — state withholding tax agreement, requirements — fund created, use of moneys — annual report, contents — rules.

Be it enacted by the General Assembly of the State of Missouri, as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

SECTION A. ENACTING CLAUSE. — Sections 173.2553 and 173.2554, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 21.915, 173.2553, and 620.2250, to read as follows:

21.915. JOINT COMMITTEE ON RURAL ECONOMIC DEVELOPMENT — MEMBERS — DUTIES

— REPORT. — 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Rural Economic Development" which shall be composed of five members of the senate, no more than three of which shall be from the majority party, appointed by the president pro tempore of the senate, and five members of the house of representatives, no more than three of which shall be from the majority party, appointed by the speaker of the house of representatives. A majority of the members of the committee shall constitute a quorum. The members shall annually select one of the members to be the chair and one of the members to be the vice chair. The speaker of the house of representatives and the president pro tempore of the senate shall appoint the respective majority members. The minority leader of the house of representatives and the minority leader of the senate shall appoint the respective minority members. The members shall receive no additional compensation, but shall be reimbursed for actual and necessary expenses incurred by them in the performance of their duties. No major party shall be represented on the committee by more than three members from the senate nor by more than three members from the house of representatives. The committee is authorized to meet and act year round and to employ the necessary personnel within the limits of appropriations. The staff of the committee on legislative research, house research, and senate research shall provide necessary clerical, research, fiscal, and legal services to the committee, as the committee may request.

2. It shall be the duty of the committee to:

(1) Examine any trending population declines throughout rural counties in Missouri utilizing data from the last previous decennial census of the United States, including identifying any anomalous rural areas that saw population increases;

(2) Identify economic opportunities for third class counties, including identifying viable industries for rural areas of the state and businesses that are relocating from other states;

(3) Monitor the deployment and adoption of broadband internet in rural areas of the state;

(4) Examine the issue of restricted access to quality healthcare and insurance in rural areas of the state;

(5) Identify the need for and development of expanded learning opportunities in rural areas, including workforce development, skilled labor training, and online training;

(6) Examine infrastructure issues in rural areas in the state, including opportunities to mitigate geographical isolation and a review of transportation development plans to embolden economic vitality in rural areas of the state;

(7) Identify key contributors and solutions to poverty and unemployment trends in rural areas of the state;

(8) Develop policies to maximize existing state programs, including existing economic development tax credit programs and tourism programs; and

(9) Identify and examine any other issues that the committee determines to be affecting rural areas of the state.

3. The committee may compile a full report of its activities for submission to the general assembly, which shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state departments and agencies included in the report.

4. All state departments, commissions, and offices shall cooperate with and assist the committee in the performance of its duties and shall make available all books, records, and information requested.

173.2553. GRANT ESTABLISHED FOR POSTSECONDARY EDUCATION — DEFINITIONS — ELIGIBILITY — IMPLEMENTATION OF PROGRAM — CRITERIA — SUNSET PROVISION. — 1. There is hereby established a "Fast Track Workforce Incentive Grant", and any moneys appropriated by the general assembly for this program shall be deposited in the fund created in subsection 12 of this section and shall be used to provide grants for Missouri citizens to attend an approved Missouri postsecondary institution of their choice in accordance with the provisions of this section.

2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms as used in this section and section 173.2554. In addition, the following terms shall mean:

(1) "Active apprentice status", formal participation in an apprenticeship that meets any related requirements as defined by the organization providing the apprenticeship or the United States Department of Labor;

(2) "Board", the coordinating board for higher education;

~~[(2)]~~ (3) "Eligible apprentice", an individual who:

(a) Is a citizen or permanent resident of the United States;

(b) Is a Missouri resident as determined by reference to standards promulgated by the coordinating board;

(c) Has active apprentice status in an eligible apprenticeship;

(d) Has an adjusted gross income as reported on their Missouri individual income tax return, that does not exceed eighty thousand dollars for married filing joint taxpayers or forty thousand dollars for all other taxpayers; and

(e) Is twenty-five years of age or older at the time of entering the apprenticeship or has not been enrolled in a postsecondary education program, other than one related to the current apprenticeship, for the prior two calendar years;

(4) "Eligible apprenticeship", a United States Department of Labor approved apprenticeship, as defined under 29 CFR Part 29, conducted within the state of Missouri that prepares a participant to enter employment in an area of occupational shortage as determined by the coordinating board;

(5) "Eligible program of study", a program of instruction:

(a) Resulting in the award of a certificate, undergraduate degree, or other industry-recognized credential; and

(b) That has been designated by the coordinating board as preparing students to enter an area of occupational shortage as determined by the board;

~~[(3)]~~ (6) "Eligible student", an individual who:

(a) Has completed and submitted a FAFSA for the academic year for which the grant is requested or if the student is enrolled, or is enrolling, with an eligible training provider that does not participate in federal student aid programs, has provided documentation of their adjusted gross income as determined by the board;

(b) Is a citizen or permanent resident of the United States;

(c) Is a Missouri resident for at least two years prior to receiving a grant pursuant to the fast track workforce incentive grant program as determined by reference to standards promulgated by the coordinating board, provided that this paragraph shall not apply to an individual who is an active duty member of the Armed Forces of the United States who has been transferred to the state of Missouri, or his or her spouse;

(d) Is enrolled, or plans to enroll, at least half-time as a student in an eligible undergraduate program of study offered by an approved public, private, or virtual institution, as defined in section 173.1102 or by an eligible training provider;

(e) Has an adjusted gross income, as reported on the FAFSA or other documentation as determined by the board, that does not exceed eighty thousand dollars for married filing joint taxpayers or forty thousand dollars for all other taxpayers; and

(f) Is twenty-five years of age or older at the time of enrollment or has not been enrolled in an educational program for the prior two academic years;

~~(7) "Eligible training provider", a training organization listed in the state of Missouri eligible training provider system maintained by the office of workforce development in the department of higher education and workforce development;~~

~~[(4)] (8) "FAFSA", the Free Application for Federal Student Aid, as maintained by the United States Department of Education;~~

~~[(5)] (9) "Fast track grant", an amount of moneys paid by the state of Missouri to a student under the provisions of this section;~~

~~[(6)] (10) "Graduation", completion of a program of study as indicated by the award of a certificate, undergraduate degree, or other industry-recognized credential;~~

~~[(7)] (11) "Qualifying employment", full-time employment of a Missouri resident at a workplace located within the state of Missouri, or self-employment while a Missouri resident, with at least fifty percent of an individual's annual income coming from self-employment, either of which result in required returns of income in accordance with section 143.481;~~

~~[(8)] (12) "Recipient", an eligible student **[or]**, an eligible apprentice, a renewal apprentice, or a renewal student who receives a fast track grant under the provisions of this section;~~

~~(13) "Related educational costs", direct costs incurred by an individual as part of an eligible apprenticeship program, such as, but not limited to, tools, books, and uniforms;~~

~~(14) "Renewal apprentice", an eligible apprentice who remains in compliance with the provision of this section, has received the grant as an initial apprentice, maintains active apprentice status, and who has not received a bachelor's degree;~~

~~[(9)] (15) "Renewal student", an eligible student who remains in compliance with the provisions of this section, has received a grant as an initial recipient, maintains a cumulative grade point average of at least two and one-half on a four-point scale or the equivalent, makes satisfactory academic degree progress as defined by the institution, with the exception of grade point average, and has not received a bachelor's degree.~~

3. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance; except that, for a renewal student, an applicant shall demonstrate a grade point average of two and one-half on a four-point scale, or the equivalent on another scale.

4. Eligibility for a grant expires upon the earliest of:

(1) Receipt of the grant for four semesters or the equivalent;

(2) Receipt of a bachelor's degree; or

(3) For an eligible student, reaching two hundred percent of the time typically required to complete the program of study.

5. The coordinating board shall initially designate eligible programs of study by January 1, 2020, in connection with local education institutions, regional business organizations, and other stakeholders. The coordinating board shall annually review the list of eligible programs of study and occupations relating to eligible apprenticeships and make changes to the program list as it determines appropriate.

6. The coordinating board shall be the administrative agency for the implementation of the program established by this section and section 173.2554. The coordinating board shall promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section and section 173.2554. The coordinating board shall prescribe the form and the time and method of filing applications and supervise the processing thereof. The coordinating board shall determine the criteria for eligibility of applicants and shall evaluate each applicant's eligibility. The coordinating board

shall select qualified recipients to receive grants, make such awards of financial assistance to qualified recipients, and determine the manner and method of payment to the recipients.

7. The coordinating board shall determine eligibility for renewed assistance on the basis of annual applications. As a condition to consideration for initial or renewed assistance, the coordinating board may require the applicant and the applicant's spouse to execute forms of consent authorizing the director of revenue to compare financial information submitted by the applicant with the Missouri individual income tax returns of the applicant, and the applicant's spouse, for the taxable year immediately preceding the year for which application is made, and to report any discrepancies to the coordinating board.

8. Grants shall be awarded in an amount equal to the actual tuition and general fees charged of an eligible student, after all federal nonloan aid, state student aid, and any other governmental student financial aid are applied. If a grant amount is reduced to zero due to the receipt of other aid, the eligible student shall receive an award of up to five hundred dollars or the remaining cost of attendance as calculated by the institution after all nonloan student aid has been applied, whichever is less, per academic term. Grants shall also be awarded in an amount equal to the related educational costs for an eligible apprentice after all other governmental assistance provided for the apprenticeship has been applied.

9. If appropriated funds are insufficient to fund the program as described, students and apprentices applying for renewed assistance shall be given priority until all funds are expended.

10. **[A]** An eligible student that is the recipient of financial assistance may transfer from one approved public, private, or virtual institution, or eligible training provider to another without losing eligibility for assistance under this section, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition or fees under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund that may be attributed to the grant to the coordinating board. The coordinating board shall use these refunds to make additional awards under the provisions of this section.

11. **[Subject to the requirements of subsections 2, 3, and 4 of this section, a student is eligible for a fast track grant under this section if the student meets all of the following criteria:**

(1) The student has successfully completed counseling explaining the benefits and obligations of the program under this section, including the terms and conditions of the promissory note under subdivision (2) of this subsection and the consequences of noncompliance specified in section 173.2554; and

(2) The student executes a promissory note acknowledging that the fast track grant moneys awarded under this section will be converted to a loan, and agreeing to repay that loan if he or she fails to satisfy the following conditions:

(a) Maintenance of at least half-time enrollment in an eligible program, with an interruption of qualifying enrollment of no more than twelve consecutive months from the last day of the most recent payment period during which the student received a fast track award;

(b) Graduation from an approved institution; or

(c) Residency within the state of Missouri within twelve months after the date of the student's graduation and for a period of not less than three years and qualifying employment within twelve months of the student's graduation and for a period of not less than three years. Residency and qualifying employment obligations may be deferred if the recipient's studies continue after graduation.

[12.] Persons who receive fast track grants under this section shall be required to submit proof of residency and qualifying employment to the coordinating board for higher education within thirty days of completing each twelve months of qualifying employment until the three-year employment obligation is fulfilled.

[13.] 12. Under section 23.253 of the Missouri sunset act:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(1) The provisions of the new program authorized under this section shall sunset automatically [three years after August 28, 2019] on August 28, 2029, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically six years after the effective date of the reauthorization; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

13. (1) There is hereby created in the state treasury the "Fast Track Workforce Incentive Grant Fund". The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the coordinating board for the purposes of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

14. The coordinating board shall have the authority to promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

620.2250. CITATION OF LAW — DEFINITIONS — TIME ZONES, PROCEDURE TO ESTABLISH — STATE WITHHOLDING TAX AGREEMENT, REQUIREMENTS — FUND CREATED, USE OF MONEYS — ANNUAL REPORT, CONTENTS — RULES. — 1. This section shall be known and may be cited as the "Targeted Industrial Manufacturing Enhancement Zones Act".

2. As used in this section, the following terms shall mean:

(1) "County average wage", the average wage in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(2) "Department", the Missouri department of economic development;

(3) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the completion of an agreement pursuant to subsection 6 of this section and no job that is relocated from another location within this state shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the county average wage;

(4) "Political subdivision", a town, village, city, or county located in this state;

(5) "Related facility", a facility operated by a company or a related company prior to the establishment of the TIME zone in question, and which is directly related to the operations of the facility within the new TIME zone;

(6) "TIME zone", an area identified through an ordinance or resolution passed pursuant to subsection 4 of this section that is being developed or redeveloped for any purpose so long as any infrastructure or building built or improved is in the development area;

(7) "Zone board", the governing body of a TIME zone.

3. The governing bodies of at least two contiguous or overlapping political subdivisions in this state may establish one or more TIME zones, which shall be political subdivisions of the state, for the purposes of completing infrastructure projects to promote the economic development of the region. Such zones may only include the area within the governing bodies' jurisdiction, ownership, or control, and may include any such area. The governing bodies shall determine the boundaries for each TIME zone, and more than one TIME zone may exist within the governing bodies' jurisdiction or under the governing bodies' ownership or control, and may be expanded or contracted by resolution of the zone board.

4. (1) To establish a TIME zone, the governing bodies of at least two political subdivisions shall each propose an ordinance or resolution creating such zone. Such ordinance or resolution shall set forth the names of the political subdivisions which will form the TIME zone, the general nature of the proposed improvements, the estimated cost of such improvements, the boundaries of the proposed TIME zone, and the estimated number of new jobs to be created in the TIME zone. Prior to approving such ordinance or resolution, each governing body shall hold a public hearing to consider the creation of the TIME zone and the proposed improvements therein. The governing bodies shall hear and pass upon all objections to the TIME zone and the proposed improvements, if any, and may amend the proposed improvements, and the plans and specifications therefor.

(2) After the passage or adoption of the ordinance or resolution creating the TIME Zone, governance of the TIME zone shall be by the zone board, which shall consist of seven members selected from the political subdivisions creating the TIME zone. Members of a zone board shall receive no salary or other compensation for their services as members, but shall receive their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties. The zone board may expand or contract such TIME zone through an ordinance or resolution following a public hearing conducted to consider such expansion or contraction.

5. The boundaries of the proposed TIME zone shall be described by metes and bounds, streets, or other sufficiently specific description.

6. (1) Prior to retaining any state withholding tax pursuant to subsection 9 of this section, a zone board shall enter into an agreement with the department. Such agreement shall include, but shall not be limited to:

- (a) The estimated number of new jobs to be created;
- (b) The estimated average wage of new jobs to be created;
- (c) The estimated net fiscal impact of the new jobs;
- (d) The estimated costs of the proposed improvements;
- (e) The estimated amount of withholding tax to be retained pursuant to subsection 9 of this section over the period of the agreement; and
- (f) A copy of the ordinance establishing the board and a list of its members.

(2) The department shall not approve an agreement with a zone board unless the zone board commits to creating the following number of new jobs:

(a) For a TIME zone with a total population of less than five thousand inhabitants as determined by the most recent decennial census, a minimum of five new jobs with an average wage that equals or exceeds ninety percent of the county average wage;

(b) For a TIME zone with a total population of at least five thousand inhabitants but less than fifty thousand inhabitants as determined by the most recent decennial census, a minimum of ten new jobs with an average wage that equals or exceeds ninety percent of the county average wage;

(c) For a TIME zone with a total population of at least fifty thousand inhabitants but less than one hundred fifty thousand inhabitants as determined by the most recent decennial census, a minimum of fifteen new jobs with an average wage that equals or exceeds ninety percent of the county average wage; and

(d) For a TIME zone with a total population of at least one hundred fifty thousand inhabitants as determined by the most recent decennial census, a minimum of twenty-five new jobs with an average wage that equals or exceeds ninety percent of the county average wage.

7. (1) The term of the agreement entered into pursuant to subsection 6 of this section shall not exceed ten years. A zone board may apply to the department for approval to renew any agreement. Such application shall be made on forms provided by the department. In determining whether to approve the renewal of an agreement, the department shall consider:

(a) The number of new jobs created and the average wage and net fiscal impact of such jobs;

(b) The outstanding improvements to be made within the TIME zone and the funding necessary to complete such improvements; and

(c) Any other factor the department requires.

(2) The department may approve the renewal of an agreement for a period not to exceed ten years. If a zone board has not met the new job requirements pursuant to subdivision (2) of subsection 6 of this section by the end of the agreement, the department shall recapture from such zone board the amount of withholding tax retained by the zone board pursuant to this section and the department shall not approve the renewal of an agreement with such zone board.

(3) A zone board shall not retain any withholding tax pursuant to this section in excess of the costs of improvements completed by the zone board.

8. If a qualified company is retaining withholding tax pursuant to sections 620.2000 to 620.2020 for new jobs, as such terms are defined in section 620.2005, that also qualify for the retention of withholding tax pursuant to this section, the department shall not authorize an agreement pursuant to this section that results in more than fifty percent of the withholding tax for such new jobs being retained pursuant to this section and sections 620.2000 to 620.2020.

9. Upon the completion of an agreement pursuant to subsection 6 of this section, twenty-five percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within a TIME zone after development or redevelopment has commenced shall not be remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited into the TIME zone fund established pursuant to subsection 10 of this section for the purpose of continuing to expand, develop, and redevelop TIME zones identified by the zone board, and may be used for managerial, engineering, legal, research, promotion, planning, and any other expenses.

10. There is hereby created in the state treasury the "TIME Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the zone boards of the TIME zones from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section, which shall not exceed ten percent of the total amount collected within the TIME zones of a zone board. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The zone board shall approve projects consistent with the provisions of this section that begin construction and disburse any money collected under this section. The zone board shall submit an annual budget for the funds to the department explaining how and when such money will be spent.

12. A zone board shall submit an annual report by December thirty-first of each year to the department and the general assembly. Such report shall include, but shall not be limited to:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

- (1) The locations of the established TIME zones governed by the zone board;
- (2) The number of new jobs created within the TIME zones governed by the zone board;
- (3) The average wage of the new jobs created within the TIME zones governed by the zone board;
- (4) The improvements utilizing TIME zone funding;
- (5) The amount of TIME zone funding utilized for each improvement and the total amount of TIME zone funds expended; and
- (6) The amount of withholding tax retained pursuant to subsection 9 of this section from new jobs created within the TIME zones governed by the zone board.
- 13. No political subdivision shall establish a TIME zone with boundaries that overlap the boundaries of an advanced industrial manufacturing zone established pursuant to section 68.075.
- 14. The total amount of withholding taxes retained by all TIME zones pursuant to the provisions of this section shall not exceed five million dollars per fiscal year.
- 15. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.
- 16. The provisions of section 23.253 notwithstanding, no TIME zone may be established after August 28, 2025. Any TIME zone created prior to such date shall continue to exist and be coterminous with the retirement of any debts incurred for improvements made within the TIME zone. No debts may be incurred or reauthorized using TIME zone revenue after August 28, 2025.

[173.2554. GRANT CONVERTED TO LOAN, WHEN — WAIVER, WHEN — DEFERMENTS OR FORBEARANCES, WHEN — FUND CREATED, USE OF MONEYS — RULEMAKING AUTHORITY. —

1. Except as provided in subsection 2 of this section, if a student who received a fast track grant under section 173.2553 fails to comply with the terms of the promissory note under subdivision (2) of subsection 11 of section 173.2553, including failure to satisfy the conditions in paragraph (a), (b), or (c) of such subdivision, the fast track grant shall be converted to a loan. This loan shall accrue interest at the federal direct loan interest rate for direct subsidized undergraduate loans in effect at the time the student enters the eligible program. Interest shall be calculated from the date the recipient enters repayment. For a recipient who fulfills some, but not all, of his or her three-year residency and employment obligations, the amount of the fast track grant that is converted to a loan shall be reduced by one-third for each period of twelve months of residency and employment as verified by the proof of residency and qualifying employment required in subsection 12 of section 173.2553.

2. The coordinating board shall provide for a waiver under the fast track grant if the grant is not converted to a loan under subsection 1 of this section for a recipient who fails to comply with terms of the agreement under paragraph (a), (b), or (c) of subdivision (2) of subsection 11 of section 173.2553 due to his or her total and permanent disability or death, the total and permanent disability or death of his or her spouse or child, or if such recipient or recipient's spouse is providing service to any branch of the Armed Forces of the United States and is transferred out of state and is no longer able to maintain Missouri residency as a result of such service. The waiver shall specify standards for the board's determination of total and permanent disability or death standards for the board's determination of total and permanent disability or death, or military transfer status, and a process for seeking a waiver under this subsection.

3. The coordinating board shall deposit in the fast track workforce incentive grant fund all repayments of principal and interest on the loans under subsection 1 of this section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

4. The coordinating board shall establish a procedure and guidelines for granting deferments or forbearances of fast track grants that have converted to loans and are in repayment status for recipients who:

- (1) Are enrolled at least half-time at an institution of higher education;
- (2) Experience economic hardship;
- (3) Have a medical condition limiting their ability to continue repayment including, but not limited to, illness, disability, or pregnancy; or
- (4) Are providing service to any branch of the Armed Forces of the United States.

5. The coordinating board shall establish a procedure and guidelines for granting loan discharge for fast track grants that have been converted to loans and are in repayment for recipients who are unable to fulfill the repayment obligation due to their total and permanent disability or death or the total and permanent disability or death of their spouse or child.

6. (1) There is hereby created in the state treasury the "Fast Track Workforce Incentive Grant Fund". The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the coordinating board for the purposes of this section and section 173.2553.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

7. The coordinating board shall have the authority to promulgate rules to implement the provisions of this section and section 173.2553. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.]

Approved June 30, 2022

SS SB 678

Enacts provisions relating to the Kansas City board of police.

AN ACT to repeal section 84.730, RSMo, and to enact in lieu thereof one new section relating to the Kansas City board of police.

SECTION

- A Enacting clause.
- 84.730 Board of police — annual budget estimate — appropriations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 84.730, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 84.730, to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

84.730. BOARD OF POLICE — ANNUAL BUDGET ESTIMATE — APPROPRIATIONS. — It shall be the duty of the board, on the fifteenth day of January of each year, to prepare, in writing, a budget estimating the sum of money which will be necessary for the next fiscal year, to enable the board to discharge the duties hereby imposed upon it, and to meet the expenses of the police department, which it shall forthwith certify to the governing body of such cities, and the budget shall itemize purposes of expenditure by organization units, activities, functions, and character classes in not less detail than "personal services", "contractual services", "commodities", and "capital outlays", and shall in any event be prepared in form and detail similar to the form and detail in which budgets for the various departments of such city government are prepared. The governing body of the cities is hereby required to appropriate the total amount so certified, payable out of the revenue of the cities after first having deducted the amount necessary to pay the interest on the indebtedness of the cities, the amount necessary for lighting the city, and any sum required by law to be placed to the credit of the sinking fund of the cities, and if the board shall be required to call out extra police force and the expense thereof shall not have been contemplated in their estimate for the fiscal year during which the extra police force is called out, it shall immediately certify the expense of such additional force, and the additional amount so required shall be appropriated for that purpose, except that in no event shall the governing body of the cities be required to appropriate for the use of the police board in any fiscal year an amount in excess of ~~[one-fifth]~~ one-fourth of the general revenue fund of such year.

Approved June 27, 2022

CCS #2 HCS SS SCS SB 681 & 662

Enacts provisions relating to elementary and secondary education, with an emergency clause for certain sections and an effective date for a certain section.

AN ACT to repeal sections 160.261, 160.2700, 160.2705, 161.097, 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.974, 163.016, 167.151, 167.225, 167.268, 167.640, 167.645, 168.021, 168.205, 168.500, 168.515, 170.014, 170.018, 170.047, 170.048, 171.033, 302.010, and 304.060, RSMo, and to enact in lieu thereof fifty new sections relating to elementary and secondary education, with an emergency clause for certain sections and an effective date for a certain section.

SECTION

- A Enacting clause.
- 160.077 Get the lead out of school drinking water act — definitions — lead concentration level limit — duties of schools — testing requirements — funding — report — rules.
- 160.261 Discipline, written policy established by local boards of education — contents — reporting requirements — additional restrictions for certain suspensions — weapons offense, mandatory suspension or expulsion — no civil liability for authorized personnel — spanking not child abuse, when — investigation procedure — officials falsifying reports, penalty.
- 160.560 Diploma program, purpose — requirements — rules.
- 160.2700 Adult high school defined.
- 160.2705 Establishment of adult high schools, where — bid process — academic requirements, diplomas.
- 161.097 Evaluation of teacher education programs — rulemaking authority.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 161.214 School innovation team — definitions — waiver granted, when, procedure — annual report — rules.
- 161.241 Reading instruction, comprehensive system of services — office of literacy — department duties — fund created, use of moneys.
- 161.380 Competency-based education grant program — fund created — awarding of grants, requirements — rules.
- 161.385 Competency-based education task force, members, duties — report.
- 161.700 Citation of law — commission created, members — holocaust defined — executive director may be employed.
- 162.058 Community engagement policy, requirements.
- 162.084 Annual performance report, schools in bottom five percent — letter to parents — rating and ranking, display requirements.
- 162.261 Seven-director district, board of, terms — vacancies — prohibition on hiring spouse of board member, when — constitutional prohibition on nepotism applies to districts.
- 162.281 Candidate to declare for term of specific number of years, when.
- 162.291 Directors — election — qualifications.
- 162.471 Board of directors — qualifications, terms, vacancies.
- 162.481 Elections in urban school districts, held when — elections in Springfield, post-2000 census urban school districts, St. Charles County, and Buchanan County.
- 162.491 Directors may be nominated by petition, when — contents of petition, certain districts — no petition required, Buchanan County.
- 162.563 Subdivision of districts — definitions — procedure — school board to adopt final plan, hearings, content — election of school board members — petition to divide, procedure.
- 162.720 Gifted children, district may establish programs for — state board to approve — review of decisions — immunity from liability, when.
- 162.974 Reimbursement for education costs of high-need children.
- 162.1255 Funding for competency-based courses — amount.
- 163.016 Designation of school district number (Monroe City).
- 167.151 Admission of nonresident and other tuition pupils — certain pupils exempt from tuition — school tax credited against tuition — owners of agricultural land in more than one district, options, notice required, when — teachers, children may attend school where parent teaches, tuition amount.
- 167.225 Definitions — instruction in Braille for visually impaired students — teacher certification.
- 167.268 Policy for reading intervention plans, grades kindergarten through three — contents — state board to develop guidelines — individual reading intervention plan to be developed.
- 167.625 Will's law — definitions — epilepsy or seizure disorder, individualized emergency health care plan, requirements — immunity from liability, when.
- 167.640 Student promotion conditioned on remediation — tutorial activities and other suggested programs.
- 167.645 Reading assessments required, when — reading improvement plan required, when — additional reading instruction required, when — retention in grade permitted, when.
- 167.850 Pilot recovery high schools — definitions — designation, procedure — agreement for enrollment — policy for tuition rates — rulemaking authority.
- 168.021 Issuance of teachers' licenses and scholars certificates, requirements, procedure — fees — effect of certification in another state and subsequent employment in this state — certificate issuance for military members.

- 168.036 Substitute teacher certificates, issuance of — requirements — retired teachers employed as substitutes, no loss of retirement, when — employment as a substitute teacher — orientation — background checks — rules.
- 168.037 Web-based survey, substitute teachers, purpose — survey completion and contents.
- 168.205 Superintendent, school districts may share, when.
- 168.500 Career and teacher excellence plan, career ladder forward funding fund established — general assembly to appropriate funds — termination of fund — participation to be voluntary — qualifications — speech pathologists on career program, when — funding limitations.
- 168.515 Salary supplement for participants in career plan — method of distribution — amounts — matching funds, contributions — review of career pay — tax levy authorized, when — use of funds.
- 170.014 Reading instruction act — reading programs established, essential components — explicit systematic phonics defined.
- 170.018 Computer science, academic credit for math, science, or practical arts — work group — endorsement on teacher certificate — fund, grants — rulemaking authority.
- 170.036 Computer science education task force, members, mission — summary — task force to dissolve, when.
- 170.047 Youth suicide awareness and prevention, training for educators — guidelines — rulemaking authority.
- 170.048 Youth suicide awareness and prevention policy, requirements — model policy, feedback.
- 170.307 Mental health awareness training and instruction required — rules.
- 171.033 Make-up of hours lost or cancelled, number required — exemption, when — waiver for schools, granted when — make-up hours not required for exceptional or emergency circumstances.
- 173.831 Workforce diploma program — definitions — program providers, qualifications, approval, payment of providers — report, contents — survey, contents — department review — fund created, use of moneys — rules — sunset provision.
- 173.1352 Advanced placement exams, undergraduate course credit, when.
- 178.694 Imagination library of Missouri program — definitions — purpose — Dolly Parton's imagination library affiliate — reading selections provided to eligible children — rulemaking authority — fund created — sunset provision.
- 186.080 Council established — members, meetings, duties, recommendations.
- 302.010 Definitions.
- 304.060 School buses and other district vehicles, use to be regulated by board — field trips in common carriers, regulation authorized — violation by employee, effect — design of school buses, regulated by board — St. Louis County buses may use word "special".
 - B Emergency clause.
 - C Effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 160.261, 160.2700, 160.2705, 161.097, 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.974, 163.016, 167.151, 167.225, 167.268, 167.640, 167.645, 168.021, 168.205, 168.500, 168.515, 170.014, 170.018, 170.047, 170.048, 171.033, 302.010, and 304.060, RSMo, are repealed and fifty new sections enacted in lieu thereof, to be known as sections 160.077, 160.261, 160.560, 160.2700, 160.2705, 161.097, 161.214, 161.241, 161.380, 161.385, 161.700, 162.058, 162.084, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491,

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

162.563, 162.720, 162.974, 162.1255, 163.016, 167.151, 167.225, 167.268, 167.625, 167.640, 167.645, 167.850, 168.021, 168.036, 168.037, 168.205, 168.500, 168.515, 170.014, 170.018, 170.036, 170.047, 170.048, 170.307, 171.033, 173.831, 173.1352, 178.694, 186.080, 302.010, and 304.060, to read as follows:

160.077. GET THE LEAD OUT OF SCHOOL DRINKING WATER ACT — DEFINITIONS — LEAD CONCENTRATION LEVEL LIMIT — DUTIES OF SCHOOLS — TESTING REQUIREMENTS — FUNDING — REPORT — RULES. — 1. This section shall be known and may be cited as the "Get the Lead Out of School Drinking Water Act".

2. As used in this section, the following terms mean:

(1) "Department", the Missouri department of health and senior services;

(2) "Disadvantaged school district", any school district that serves students from a county in which at least twenty-five percent of the households in such county are below the federal poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. Section 9902(2), as amended, or any school district in which more than seventy percent of students in the district qualify for a free or reduced price lunch under the federal Richard B. Russell National School Lunch Act, 42 U.S.C. Section 1751 et seq.;

(3) "Drinking water outlet", a potable water fixture that is used for drinking or food preparation. "Drinking water outlet" includes, but is not limited to:

(a) A water fountain, faucet, or tap that is used or potentially used for drinking or food preparation; and

(b) Ice-making and hot drink machines;

(4) "First draw", a two-hundred-fifty-milliliter sample immediately collected from a drinking water outlet that has been turned on after a stagnation period of at least eight hours;

(5) "Parent", a parent, guardian, or other person having control or custody of a child;

(6) "Private school", the same definition as in section 166.700;

(7) "Public school", the same definition as in section 160.011;

(8) "Remediation", decreasing the lead concentration in water from a drinking water outlet to less than five parts per billion without relying solely on flushing practices, or using methods such as the replacement of lead-containing pipes, solder, fittings, or fixtures with lead-free components. Flushing as a stand alone action shall not be considered remediation;

(9) "School", any public school, private school, or provider of an early childhood education program that receives state funding.

3. Beginning in the 2023-24 school year and for each subsequent school year, each school shall provide drinking water with a lead concentration level below five parts per billion in sufficient amounts to meet the drinking water needs of all students and staff as provided in this section.

4. (1) On or before January 1, 2024, each school shall:

(a) Conduct an inventory of all drinking water outlets and all outlets that are used for dispensing water for cooking or for cleaning cooking and eating utensils in each of the school's buildings;

(b) Develop a plan for testing each outlet inventoried under paragraph (a) of this subdivision and make such plan available to the public; and

(c) Upon request, provide general information on the health effects of lead contamination and additional informational resources for employees and parents of children at each school.

(2) Each school shall make buildings housing early childhood education programs, kindergartens, and elementary schools the priority when complying with paragraphs (a) and (b) of subdivision (1) of this subsection.

(3) Before August 1, 2024, or the first day on which students will be present in the building, whichever is later, each school shall:

(a) Perform all testing as required by subsection 5 of this section and within two weeks after receiving test results, make all testing results and any lead remediation plans available on the school's website;

(b) Remove and replace any drinking water coolers or drinking water outlets that the United States Environmental Protection Agency has determined are not lead-free under the federal Lead Contamination Control Act of 1988, as amended; except the school shall not be required to replace those drinking water outlets or water coolers that tested under the requirements of this section and have been determined to be dispensing drinking water with a lead concentration less than five part per billion; however, such drinking water outlet or water cooler shall be subject to all testing requirements and shall not be excluded from testing under subsection 10 of this section.

(4) If testing indicates that the water source is causing the contamination and until such time that the source of the contamination has been remediated, the school shall:

(a) Install a filter at each point at which the water supply enters the building;

(b) Install a filter that reduces lead in drinking water on each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection to ensure lead concentrations are below five parts per billion; or

(c) Provide purified water at each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection.

(5) If testing indicates that the internal building piping is causing the contamination and until such time that the source of the contamination has been remediated, the school shall:

(a) Install a filter that reduces lead in drinking water on each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection to ensure lead concentrations are below five parts per billion; or

(b) Provide purified water at each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection.

(6) If a pipe, solder, fitting, or fixture is replaced as part of remediation, the replacement shall be lead-free, as such term is defined in 40 CFR 143.12, as amended.

(7) If a test result exceeds five parts per billion, the affected school shall:

(a) Contact parents and staff via written notification within seven business days after receiving the test result. The notification shall include at least:

a. The test results and a summary that explains such results;

b. A description of any remedial steps taken; and

c. A description of general health effects of lead contamination and community specific resources;

and

(b) Provide bottled water if there is not enough water to meet the drinking water needs of the students, teachers, and staff.

(8) School districts shall submit such annual testing results to the department.

(9) This subsection shall not be construed to prevent a school from conducting more frequent testing than required under this section.

5. (1) Before August 1, 2024, or the first day on which students will be present in the building, whichever is later, and annually thereafter, each school shall conduct testing for lead by first-draw and follow-up flush samples of a random sampling of at least twenty-five percent of remediated drinking water outlets until all remediated sources have been tested as recommended by the 2018 version of the United States Environmental Protection Agency's "Training, Testing, and Taking Action" program. The testing shall be conducted and the results analyzed for both types of tests by an entity or entities approved by the department.

(2) If, in the ten years prior to the 2023-24 school year, a fixture tested above five parts per billion for lead, such fixture does not need to be repeat tested for lead, but instead remediation shall begin on such fixture.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

6. (1) In addition to the apportionments payable to a school district under chapter 163, the department of natural resources, with support from the department of elementary and secondary education and the department of health and senior services, is hereby authorized to apportion to any school additional funding for the filtration, testing, and other remediation of drinking water systems required under this section, subject to appropriation.

(2) To the extent permitted by federal law, a school district may seek reimbursement or other funds for compliance incurred under this section under any applicable federal law including, but not limited to, the America's Water Infrastructure Act of 2018 and the Water Infrastructure Finance and Innovation Act of 2014, 33 U.S.C. Section 3901 et seq.

(3) Disadvantaged school districts shall receive funding priority under this subsection.

7. The department, in conjunction with the department of elementary and secondary education, shall publish a report biennially based on the findings from the water testing conducted under this section. Such report shall be published on the department of natural resources website.

8. For public schools, the department shall ensure compliance with this section. Each school district shall be responsible for ensuring compliance within each school within the school district's jurisdiction.

9. No school building constructed after January 4, 2014, as provided in the federal Reduction of Lead in Drinking Water Act (42 U.S.C. Section 300g-6), as amended, shall be required to install, maintain, or replace filters under paragraph (c) of subdivision (1) of subsection 4 of this section.

10. A school that tests and does not find a drinking water source with a lead concentration above the acceptable level as described in subsection 3 of this section shall be required to test only every five years.

11. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

160.261. DISCIPLINE, WRITTEN POLICY ESTABLISHED BY LOCAL BOARDS OF EDUCATION — CONTENTS — REPORTING REQUIREMENTS — ADDITIONAL RESTRICTIONS FOR CERTAIN SUSPENSIONS — WEAPONS OFFENSE, MANDATORY SUSPENSION OR EXPULSION — NO CIVIL LIABILITY FOR AUTHORIZED PERSONNEL — SPANKING NOT CHILD ABUSE, WHEN — INVESTIGATION PROCEDURE — OFFICIALS FALSIFYING REPORTS, PENALTY. — 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. No pupil shall be subject to corporal punishment procedures outlined in the discipline and corporal punishment policy without a parent or guardian being notified and providing written permission for the corporal punishment. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in section 556.061 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Rape in the first degree under section 566.030;
- (6) Sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023;
- (10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055;
- (11) Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027;
- (15) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;
- (16) Rape in the second degree under section 566.031;
- (17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, or 566.069;
- (21) Sodomy in the second degree pursuant to section 566.061;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse in the first degree pursuant to section 566.100;
- (24) Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090; or
- (25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable

firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. [The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.]

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

12.] 11. Upon receipt of any reports of child abuse by the children's division **[other than reports provided under subsection 11 of this section,]** pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

[13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the

school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22.] 12. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

160.560. DIPLOMA PROGRAM, PURPOSE — REQUIREMENTS — RULES. — 1. The department of elementary and secondary education shall establish the "Show-Me Success Diploma Program".

2. Under the show-me success diploma program, the department of elementary and secondary education shall develop the "Show-Me Success Diploma" as an alternative pathway to graduation for high school students that may be earned at any point between the end of a student's tenth grade year and the conclusion of the student's twelfth grade year.

3. Before July 1, 2023, the department of elementary and secondary education shall develop detailed requirements for students to become eligible for the show-me success diploma that include at least the following:

(1) Demonstrated skills and knowledge in English, science, and mathematical literacy to be successful in college-level courses offered by the community colleges in this state that count toward a degree or certificate without taking remedial or developmental coursework; and

(2) Satisfactory grades on approved examinations in subjects determined to be necessary to prepare a student to enter postsecondary education without taking remedial or developmental coursework.

4. School districts and charter schools may offer a course of study designed to meet the requirements to obtain a show-me success diploma to students entering the ninth grade. Students who elect to pursue a show-me success diploma shall participate in a course of study designed by the school district to meet the requirements established under subsection 3 of this section. The show-me success diploma shall be available to any such student until the end of that student's twelfth grade year.

5. Students who earn a show-me success diploma may remain in high school and participate in programs of study available through the school district or charter school until that student would otherwise have graduated at the end of grade twelve. For purposes of calculation and distribution of state aid, the school district or charter school of a pupil having earned a show-me success diploma who remains enrolled in the school district or charter school shall continue to include the pupil in the pupil enrollment of each such school district or charter school and shall continue to receive funding for a pupil who earns a show-me success diploma until that pupil would otherwise have graduated at the end of grade twelve. Students who elect to remain in high school under this subsection shall be eligible to participate in extracurricular activities, including interscholastic sports, through the end of grade twelve.

6. Students who pursue but do not meet the eligibility requirements for a show-me success diploma at the end of grade ten or eleven shall receive a customized program of assistance during the next school

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year that addresses areas in which the student demonstrated deficiencies in the course requirements. Students may choose to return to a traditional academic program without completing the show-me success diploma.

7. The department of elementary and secondary education shall provide training, guidance, and assistance to teachers and administrators of the schools offering the show-me success diploma and shall closely monitor the progress of the schools in the development of the program.

8. Pupils who earn a show-me success diploma and do not remain enrolled in the district or charter school and instead enroll, or show proof that they will enroll, in a postsecondary educational institution eligible to participate in a student aid program administered by the U.S. Department of Education shall be included in the district's or charter school's state aid calculation under section 163.031, until such time that the pupil would have completed the pupil's twelfth grade year had the pupil not earned a show-me success diploma. The funding assigned to a pupil under this subsection shall be calculated as if the pupil's attendance percentage equaled the district's or charter school's prior year average attendance percentage. For a pupil who, as provided in this subsection, is included in the district's or charter school's state aid calculation but who is not enrolled in the district or charter school, an amount equal to ninety percent of the pupil's proportionate share of the state, local, and federal aid that the district or charter school receives for the pupil under this subsection shall be deposited into an account established under sections 166.400 to 166.455 that lists the pupil as the beneficiary. The state treasurer shall provide guidance and assist school districts, charter schools, pupils, and parents or guardians of pupils with the creation, maintenance, and use of an account that has been established under sections 166.400 to 166.455.

9. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

160.2700. ADULT HIGH SCHOOL DEFINED. — For purposes of sections 160.2700 to 160.2725, "adult high school" means a school that:

- (1) Is for individuals who do not have a high school diploma and who are twenty-one years of age or older;
- (2) Offers an industry certification program or programs and a high school diploma in a manner that allows students to earn a diploma at the same time that they earn an industry certification;
- (3) Offers [on-site] child care for children of enrolled students attending the school; and
- (4) Is not eligible to receive funding under section 160.415 or 163.031.

160.2705. ESTABLISHMENT OF ADULT HIGH SCHOOLS, WHERE — BID PROCESS — ACADEMIC REQUIREMENTS, DIPLOMAS. — 1. The department of elementary and secondary education shall authorize before January 1, 2018, a Missouri-based nonprofit organization meeting the criteria under subsection 2 of this section to establish and operate four adult high schools, with:

- (1) One adult high school to be located in a city not within a county;
- (2) One adult high school to be located in a county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants or a county contiguous to that county;

(3) One adult high school to be located in a county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or a county contiguous to that county; and

(4) One adult high school to be located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

2. The department of elementary and secondary education shall grant the authorization described under subsection 1 of this section based on a bid process conducted in accordance with the rules and regulations governing purchasing through the office of administration. The successful bidder shall:

(1) Demonstrate the ability to establish, within twenty-one months of the receipt of the authorization, four adult high schools offering high school diplomas, an industry certification program or programs, and [on-site] child care for children of the students attending the high schools;

(2) Commit at least two million dollars in investment for the purpose of establishing the necessary infrastructure to operate four adult high schools;

(3) Demonstrate substantial and positive experience in providing services, including industry certifications and job placement services, to adults twenty-one years of age or older whose educational and training opportunities have been limited by educational disadvantages, disabilities, homelessness, criminal history, or similar circumstances;

(4) Establish a partnership with a state-supported postsecondary education institution or more than one such partnership, if a partnership or partnerships are necessary in order to meet the requirements for an adult high school;

(5) Establish a comprehensive plan that sets forth how the adult high schools will help address the need for a sufficiently trained workforce in the surrounding region for each adult high school;

(6) Establish partnerships and strategies for engaging the community and business leaders in carrying out the goals of each adult high school;

(7) Establish the ability to meet quality standards through certified teachers and programs that support each student in [his or her] such student's goal to find a more rewarding job;

(8) Establish a plan for assisting students in overcoming barriers to educational success including, but not limited to, educational disadvantages, homelessness, criminal history, disability, including learning disability such as dyslexia, and similar circumstances;

(9) Establish a process for determining outcomes of the adult high school, including outcomes related to a student's ability to find a more rewarding job through the attainment of a high school diploma and job training and certification; and

(10) Bids shall not include an administrative fee greater than ten percent.

3. (1) The department of elementary and secondary education shall establish academic requirements for students to obtain high school diplomas.

(2) Requirements for a high school diploma shall be based on an adult student's prior high school achievement and the remaining credits and coursework that would be necessary for the student to receive a high school diploma if [he or she] such student were in a traditional high school setting. The adult student shall meet the requirements with the same level of academic rigor as would otherwise be necessary to attain such credits.

(3) The adult high school authorized under this section shall award high school diplomas to students who successfully meet the established academic requirements. The adult high school authorized under this section shall confer the diploma as though the student earned the diploma at a traditional high school. The diploma shall have no differentiating marks, titles, or other symbols.

(4) Students at adult high schools may complete required coursework at their own pace and as available through the adult high school. They shall not be required to satisfy any specific number of class minutes. The adult high school may also make classes available to students online as may be appropriate. However, students shall not complete the majority of instruction of the school's curriculum online or through remote instruction. For the purposes of this subsection, synchronous instruction

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connecting students to a live class conducted in a Missouri adult high school shall be treated the same as in-person instruction.

(5) The department of elementary and secondary education shall not create additional regulations or burdens on the adult high school or the students attending the adult high schools beyond certifying necessary credits and ensuring that students have sufficiently mastered the subject matter to make them eligible for credit.

4. An adult high school shall be deemed a "secondary school system" for the purposes of subdivision (15) of subsection 1 of section 210.211.

161.097. EVALUATION OF TEACHER EDUCATION PROGRAMS — RULEMAKING AUTHORITY. — 1. The state board of education shall establish standards and procedures by which it will evaluate all teacher training institutions in this state for the approval of teacher education programs. The state board of education shall not require teacher training institutions to meet national or regional accreditation as a part of its standards and procedures in making those evaluations, but it may accept such accreditations in lieu of such approval if standards and procedures set thereby are at least as stringent as those set by the board. The state board of education's standards and procedures for evaluating teacher training institutions shall equal or exceed those of national or regional accrediting associations.

2. There is hereby established within the department of elementary and secondary education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as "MABEP". The MABEP shall advise the state board of education and the coordinating board for higher education regarding matters of mutual interest in the area of quality educator preparation programs in Missouri. The advisory board shall include at least three active elementary or secondary classroom teachers and at least three faculty members within approved educator preparation programs. The classroom teacher members shall be selected to represent various regions of the state and districts of different sizes. The faculty representatives shall represent institutions from various regions of the state and sizes of programs. The advisory board shall hold regular meetings that allow members to share needs and concerns and plan strategies to enhance teacher preparation.

3. Upon approval by the state board of education of the teacher education program at a particular teacher training institution, any person who graduates from that program, and who meets other requirements which the state board of education shall prescribe by rule, regulation and statute shall be granted a certificate or license to teach in the public schools of this state. However, no such rule or regulation shall require that the program from which the person graduates be accredited by any national or regional accreditation association.

4. The state board of education shall, in consultation with MABEP, align literacy and reading instruction coursework for teacher education programs in early childhood, kindergarten to fifth grade elementary teacher certification, middle school communication arts, high school communication arts, and all reading and special education certificates to include the following:

(1) Teacher candidates shall receive classroom and clinical training in:

(a) The core components of reading, including phonemic awareness, phonics, fluency, comprehension, morphology, syntax, and vocabulary;

(b) Oral and written language development; and

(c) Identification of reading deficiencies, dyslexia, and other language difficulties;

(2) Teacher candidates shall also have training on:

(a) The selection and use of reading curricula and instructional materials;

(b) The administration and interpretation of assessments;

(c) How to translate assessment results into effective practice in the classroom specific to the needs of students; and

(d) Additional best practices in the field of literacy instruction as recommended by the literacy advisory council pursuant to section 186.080.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

161.214. SCHOOL INNOVATION TEAM — DEFINITIONS — WAIVER GRANTED, WHEN, PROCEDURE — ANNUAL REPORT — RULES. — 1. For purposes of this section, the following terms shall mean:

(1) "Board", the state board of education;

(2) "Department", the department of elementary and secondary education;

(3) "School innovation team", a group of natural persons officially authorized by:

(a) A single elementary or secondary school;

(b) A group of two or more elementary or secondary schools within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(c) A group of two or more elementary or secondary schools not within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(d) A single school district; or

(e) A group of two or more school districts that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(4) "School innovation waiver", a waiver granted by the board to a single school, group of schools, single school district, or group of school districts pursuant to this section, in which the school, group of schools, school district, or group of school districts is exempt from a specific requirement imposed by chapter 160, chapter 161, chapter 162, chapter 167, chapter 170, or chapter 171, or any regulations promulgated thereunder by the board or the department. Any school innovation waiver granted to a school district or group of school districts shall be applicable to every elementary and secondary school within the school district or group of school districts unless the plan specifically provides otherwise.

2. Any school innovation team seeking a school innovation waiver may submit a plan to the board for one or more of the following purposes:

(1) Improving student readiness for employment, higher education, vocational training, technical training, or any other form of career and job training;

(2) Increasing the compensation of teachers; or

(3) Improving the recruitment, retention, training, preparation, or professional development of teachers.

3. Any plan for a school innovation waiver shall:

(1) Identify the specific provision of law for which a waiver is being requested and provide an explanation for why the specific provision of law inhibits the ability of the school or school district to accomplish the goal stated in the plan;

(2) Demonstrate that the intent of the specific provision of law can be addressed in a more effective, efficient, or economical manner and that the waiver or modification is necessary to implement the plan;

(3) Include measurable annual performance targets and goals for the implementation of the plan;

(4) Specify the innovations to be pursued in meeting one or more of the goals listed in subsection 2 of this section;

(5) Demonstrate parental, school employee, and community and business support for, and engagement with, the plan; and

(6) Be approved by at least the minimum number of people required to be on the school innovation team prior to submitting the plan for approval.

4. (1) In evaluating a plan submitted by a school innovation team under subsection 2 of this section, the board shall consider whether the plan will:

(a) Improve the preparation, counseling, and overall readiness of students for postsecondary life;

(b) Increase teacher salaries in a financially sustainable and prudent manner; or

(c) Increase the attractiveness of the teaching profession for prospective teachers and active teachers alike.

(2) The board may approve any plan submitted under subsection 2 of this section if it determines that:

(a) The plan successfully demonstrates the ability to address the intent of the provision of law to be waived in a more effective, efficient, or economical manner;

(b) The waivers or modifications are demonstrated to be necessary to stimulate improved student readiness for postsecondary life, increase teacher salaries, or increase the attractiveness of the teaching profession for prospective teachers and active teachers;

(c) The plan has demonstrated sufficient participation from among the teachers, principals, superintendent, faculty, school board, parents, and the community at large; and

(d) The plan is based upon sound educational practices, does not endanger the health and safety of students or staff, and does not compromise equal opportunity for learning.

(3) The board may propose modifications to the plan in cooperation with the school innovation team.

5. Any waiver granted under this section shall be effective for a period of no longer than three school years beginning the school year following the school year in which the waiver is approved. Any waiver may be renewed. No more than one school innovation waiver shall be in effect with respect to any one elementary or secondary school at one time.

6. This section shall not be construed to allow the state board of education to authorize the waiver of any statutory requirements relating to teacher certification, teacher tenure, or any requirement imposed by federal law.

7. The department shall publish an annual report based on the school innovation waivers considered by the state board. The report shall document the waivers submitted and waivers approved, at the statewide, district, and school building levels, and provide data at the statewide, district, and school building levels of sufficient detail to allow analysis of trends regarding the purposes for waiver requests, the statutes waived or requested to be waived, any modifications approved by the state board, and the state board's actions to approve or deny waiver requests.

8. The board may promulgate rules implementing the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

161.241. READING INSTRUCTION, COMPREHENSIVE SYSTEM OF SERVICES — OFFICE OF LITERACY — DEPARTMENT DUTIES — FUND CREATED, USE OF MONEYS. — 1. The state board of education, in collaboration with the coordinating board for higher education and the commissioner's

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Matter underscored is proposed language.

advisory council under section 186.080, shall develop a plan to establish a comprehensive system of services for reading instruction.

2. The state board of education shall establish and periodically update a statewide literacy plan that supports high quality, evidence-based reading instruction for all students.

3. The state board of education shall create an office of literacy. The commissioner of education shall coordinate staff with roles relating to literacy and align staff work around supporting best practices in reading instruction.

4. The state board of education shall align literacy and reading instruction coursework for teacher education programs as required under subsection 4 of section 161.097.

5. Subject to appropriation, the department of elementary and secondary education shall recruit and employ quality teacher trainers with expertise in reading instruction and provide opportunities for evidence-based professional development in reading instruction available for all active teachers.

6. The department shall maintain and publish data on reading outcomes, provided that the report shall not include individually identifiable student data.

7. The department shall publish criteria and examples to help districts and schools select and use evidence-based reading curricula and instructional materials. Additionally, the department shall publish a list of curricula that ensure instruction is explicit, systematic, diagnostic, and based on phonological awareness, phonics, fluency, vocabulary, comprehension, morphology, syntax, and semantics. This shall be a resource to districts.

8. The department shall provide online tools and training for active teachers on evidence-based reading instruction.

9. There is hereby created in the state treasury the "Evidence-based Reading Instruction Program Fund". The fund shall be administered by the department and used to reimburse school districts and charter schools for efforts to improve student literacy, including, but not limited to: initiatives that provide optional training and materials to teachers regarding best practices in reading pedagogies; resources for parents and guardians to assist them in teaching their children to read; funding for reading tutoring programs outside of regular school hours; stipends for teachers who undergo additional training in reading instruction, which may also count toward professional development requirements; and funding for summer reading programs. The fund shall consist of moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund, and any gifts, bequests, or donations to such fund. The fund shall be kept separate and apart from all other moneys in the state treasury and shall be paid out by the state treasurer pursuant to chapter 33. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the end of the biennium shall not be transferred to the credit of the general revenue fund. All interest and moneys earned on the fund shall be credited to the fund.

161.380. COMPETENCY-BASED EDUCATION GRANT PROGRAM — FUND CREATED — AWARDING OF GRANTS, REQUIREMENTS — RULES. — 1. Subject to appropriations, the department of elementary and secondary education shall establish the "Competency-Based Education Grant Program".

2. (1) There is hereby created in the state treasury the "Competency-Based Education Grant Program Fund". The fund shall consist of any appropriations to such fund and any gifts, contributions, grants, or bequests received from private or other sources for the purpose of providing competency-based education programs. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The department of elementary and secondary education shall award grants from the competency-based education grant program fund to eligible school districts for the purpose of providing competency-based education programs. A school district wishing to receive such a grant shall submit an application to the department of elementary and secondary education addressing:

(1) A core mission that competency-based education courses will help achieve;

(2) A plan that outlines competency-based education courses and key metrics that will show success;

(3) Resources available to the school and in the community that will assist in creating successful competency-based outcomes; and

(4) Resources and support needed to help the school succeed in implementing competency-based education courses.

4. The department of elementary and secondary education shall facilitate the creation, sharing, and development of course assessments; curriculum; training and guidance for teachers; and best practices for the school districts that offer competency-based education courses.

5. For purposes of this section, the term "competency-based education program" means an educational program that:

(1) Affords students flexibility to progress and earn course credit upon demonstration of mastery, including through early high school graduation;

(2) Provides individual learning and assessment options, including through experiential and project-based learning, online or blended learning, additional remedial education time, and accelerated-pace curricula;

(3) Assesses student proficiency based on graduate profiles describing meaningful and critical knowledge and skills that students should have upon graduation; or

(4) Assesses student proficiency through tasks developed both locally and at the state level, performance of which demonstrates mastery.

6. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

161.385. COMPETENCY-BASED EDUCATION TASK FORCE, MEMBERS, DUTIES — REPORT.

— 1. There is hereby established the "Competency-Based Education Task Force" to study and develop competency-based education programs in public schools. Task force members shall be chosen to represent the geographic diversity of the state. Task force members shall be appointed for a term of two years and may be reappointed. All task force members shall be appointed before December 31, 2022, and every other year thereafter by December thirty-first of that year. The task force members shall be appointed as follows:

(1) Two members of the house of representatives appointed by the speaker of the house of representatives;

(2) Two members of the senate appointed by the president pro tempore of the senate;

(3) The commissioner of the department of elementary and secondary education or the commissioner's designee; and

(4) Four members appointed by the governor. Two members shall each represent a separate school district that offers competency-based education courses.

2. The members of the task force established under subsection 1 of this section shall elect a chair from among the membership of the task force. The task force shall meet as needed to complete its consideration of its objectives as established in subsections 4 and 5 of this section. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members of the task force shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties.

3. The department of elementary and secondary education shall provide such legal, research, clerical, and technical services as the task force may require in the performance of official duties.

4. The task force shall:

(1) Work toward implementing competency-based education courses statewide and devising a plan for Missouri to lead the way in competency-based education courses;

(2) Solicit input from individuals and organizations with information or expertise relevant to the task force's objective, including experts and educators with experience related to competency-based education programs;

(3) Hold at least three public hearings to provide an opportunity to receive public testimony including, but not limited to, testimony from educators, local school boards, parents, representatives from business and industry, labor and community leaders, members of the general assembly, and the general public;

(4) Identify promising competency-based education programs, including programs that:

(a) Afford students flexibility to progress and earn course credit upon demonstration of mastery, including through early high school graduation;

(b) Provide individual learning and assessment options, including through experiential and project-based learning, online or blended learning, additional remedial education time, and accelerated-pace curricula; or

(c) Assess student proficiency through tasks developed both locally and at the state level, performance of which demonstrates mastery;

(5) Identify obstacles to implementing competency-based education programs in Missouri public schools;

(6) Develop comprehensive graduate profiles that describe meaningful and critical knowledge skills that students should have upon graduation that can be implemented into a diploma designation;

(7) Develop findings and recommendations for implementing competency-based education models and practices in Missouri public schools, including recommending changes to existing legislation, rules, and regulations; and

(8) Develop findings and recommendations for implementing a competency-based performance assessment that:

(a) Is consistent with the most effective competency-based education programs identified by the task force under subdivision (4) of this subsection;

(b) Assesses students based on both locally developed and common statewide performance tasks tied to grade and course competencies aligned with state content standards; and

(c) Complies with all applicable federal law, including 20 U.S.C. Section 6311(b)(1)(B), as amended. To the extent that implementing a competency-based performance assessment would require the department of elementary and secondary education to obtain innovative assessment and accountability demonstration authority under 20 U.S.C. Section 6364, as amended, the task force shall develop findings and recommendations for obtaining such authority.

5. Beginning in 2023, the task force shall present its findings and recommendations to the speaker of the house of representatives, the president pro tempore of the senate, the joint committee on education, and the state board of education by December first annually.

161.700. CITATION OF LAW — COMMISSION CREATED, MEMBERS — HOLOCAUST DEFINED — EXECUTIVE DIRECTOR MAY BE EMPLOYED. — 1. This section shall be known as the "Holocaust Education and Awareness Commission Act".

2. There is hereby created a permanent state commission known as the "Holocaust Education and Awareness Commission". The commission shall be housed in the department of elementary and secondary education and shall promote implementation of [holocaust] Holocaust education and awareness programs in Missouri in order to encourage understanding of the [holocaust] Holocaust and discourage bigotry.

3. The commission shall be composed of twelve members to be appointed by the governor with advice and consent of the senate. The makeup of the commission shall be:

- (1) The commissioner of higher education;
- (2) The commissioner of elementary and secondary education;
- (3) The president of the University of Missouri system; and
- (4) Nine members of the public, representative of the diverse religious and ethnic heritage groups populating Missouri.

4. The [holocaust] Holocaust education and awareness commission may receive such funds as appropriated from public moneys or contributed to it by private sources. [It] The commission may sponsor programs or publications to educate the public about the crimes of genocide in an effort to deter indifference to crimes against humanity and human suffering wherever they occur.

5. The term ["holocaust"] "Holocaust" shall be defined as the [period from 1933 through 1945 when] systematic, state-sponsored persecution and murder of six million Jews [and millions of others were murdered] by the Nazi [Germany] regime and its allies and collaborators [as part of a structured, state-sanctioned program of genocide] during the period from 1933 through 1945.

6. The commission may employ an executive director and such other persons to carry out its functions.

7. (1) To educate students about the Holocaust and inspire in students a sense of responsibility to recognize and uphold human value and to prevent future atrocities, the second week in April shall be designated as "Holocaust Education Week".

(2) Holocaust education shall be taught during a week as determined by each school district and shall include age-appropriate instruction to elementary school students not lower than the sixth grade and high school students as determined by each school district. Such instruction shall include, but not be limited to:

(a) Information providing a historical understanding of the Holocaust to offer context for the discussion of how and why the Holocaust happened;

(b) Participation, in person or using technology, in learning projects about the Holocaust; and

(c) The use of materials developed or supported by the Holocaust education and awareness commission, the United States Holocaust Memorial Museum, or the St. Louis Kaplan Feldman Holocaust Museum.

(3) Based on the instructional materials provided under paragraph (c) of subdivision (2) of this subsection, the department of elementary and secondary education shall develop a curriculum framework of instruction for studying the Holocaust. The department shall make such curriculum framework available to up to twenty-five school districts or schools within a district, with at least one district or school within each of the nine regional professional development centers, as defined by the department, as a pilot program in consultation with the Holocaust education and awareness commission beginning in the 2023-24 school year.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(4) Each school district participating in the pilot program shall adopt the curriculum framework provided by the department under subdivision (3) of this subsection in the 2023-24 school year. Each school district shall determine the minimum amount of instruction time that qualifies as a unit of instruction satisfying the requirements of this subsection.

(5) Each participating school district shall provide a plan of professional development for teachers to ensure such teachers are adequately prepared to provide the instruction required under this subsection.

(6) This subsection shall apply to schools participating in the pilot program starting in the 2023-24 school year and the program shall be expanded in all subsequent school years, with all school districts participating by the 2025-26 school year.

(7) The department shall provide for a program evaluation regarding the success and impact of the pilot program upon completion of the first year of the pilot program and shall report the results of such evaluation to the general assembly. The department may consult with organizations including, but not limited to, the Holocaust education and awareness commission, the United States Holocaust Museum, or the St. Louis Kaplan Feldman Holocaust Museum to develop the evaluation.

162.058. COMMUNITY ENGAGEMENT POLICY, REQUIREMENTS. — 1. Before July 1, 2023, each school district and charter school shall, after receiving community input, implement a community engagement policy that provides residents of the school district methods of communicating with the school board or the governing board of a charter school located in the school district and with the administration of the school district or charter school.

2. The community engagement policy shall create a process allowing any resident of a school district to have an item placed on the agenda of a school board meeting, or a meeting of the governing board of a charter school located in the school district, if the resident follows the process described in the policy. Such policy shall contain at least the following components:

(1) No item shall be placed on a meeting agenda under this section unless the item is directly related to the governance or operation of the school district or charter school;

(2) The school district or charter school may require the resident to first meet with the superintendent or the superintendent's designee to attempt a resolution of the issue. The superintendent or the superintendent's designee shall meet with the resident within twenty business days of a written request to meet. After such meeting, or if the superintendent or the superintendent's designee does not meet with the resident within twenty business days, the resident may submit a written request to the board secretary to have the issue brought before the school board or the governing board as a meeting agenda item. If the secretary receives the request at least five business days prior to the next regularly scheduled board meeting, the issue shall be placed as an item on the agenda for such meeting. If the secretary receives the request less than five days before the next regularly scheduled board meeting, the issue shall be placed as an item on the agenda for the next subsequent regular board meeting. An agenda item may be moved to a different board meeting with the consent of the resident requesting the agenda item;

(3) The school board or governing board may establish reasonable rules governing agenda items including, but not limited to, time limits for presentation or discussion of the agenda item and limits on the number of speakers to a single individual or to individuals who met with the superintendent or the superintendent's designee before the issue was brought before the board as a meeting agenda item;

(4) The school board or governing board may refuse to hear or delay hearing an agenda item if the school board or governing board has heard an identical or substantially similar issue in the previous three calendar months or if the resident has previously violated district rules regarding conduct at meetings or on school property; and

(5) The school board or governing board may delay hearing an agenda item if more than three resident-initiated agenda items are scheduled for the same board meeting. If the hearing of a resident's

agenda item is delayed, the school board or governing board shall provide the resident with an alternate method of communicating to the school board or governing board regarding the agenda item.

162.084. ANNUAL PERFORMANCE REPORT, SCHOOLS IN BOTTOM FIVE PERCENT — LETTER TO PARENTS — RATING AND RANKING, DISPLAY REQUIREMENTS. — 1. If any individual public elementary or secondary school, any charter school, or any school district is determined to be in the bottom five percent of scores on the annual performance report, such school, charter school, or district shall mail a letter to the parents and guardians of each student in such school, charter school, or district informing such parents and guardians:

(1) That the individual public elementary or secondary school, charter school, or school district has been determined to be in the bottom five percent of scores on the annual performance report; and

(2) What options are available to such students as a result of the school's, charter school's, or district's current status.

2. (1) Rules relating to the annual performance report rating shall require the department of elementary and secondary education to display, in a clear and easily accessible manner on the department's website, the annual performance report rating and ranking percentage for each local education agency and each attendance center within the local education agency, the accreditation status for each school district, and a list of the bottom five percent of scores for all schools and for all local education agencies.

(2) Each local education agency shall display the same information outlined in subdivision (1) of this subsection for the local education agency and each attendance center within the local education agency in a clear and easily accessible manner on the local education agency's website. Information required to be posted on websites under this subdivision shall be included in the annual school accountability report card information required under section 160.522.

3. The requirements to mail a letter under subsection 1 of this section and display information on the local education agency's website under subdivision (2) of subsection 2 of this section shall not apply to any special school district or state operated school in which all of the students enrolled are students with disabilities.

162.261. SEVEN-DIRECTOR DISTRICT, BOARD OF, TERMS — VACANCIES — PROHIBITION ON HIRING SPOUSE OF BOARD MEMBER, WHEN — CONSTITUTIONAL PROHIBITION ON NEPOTISM APPLIES TO DISTRICTS. — 1. The government and control of a seven-director school district, other than an urban district, is vested in a board of education of seven members, who hold their office for three years, except as provided in [section] sections 162.241 and 162.563, and until their successors are duly elected and qualified. Any vacancy occurring in the board shall be filled by the remaining members of the board; except that if there are more than two vacancies at any one time, the county commission upon receiving written notice of the vacancies shall fill the vacancies by appointment. If there are more than two vacancies at any one time in a county without a county commission, the county executive upon receiving written notice of the vacancies shall fill the vacancies, with the advice and consent of the county council, by appointment. The person appointed shall hold office until the next municipal election, when a director shall be elected for the unexpired term.

2. No seven-director, urban, or metropolitan school district board of education shall hire a spouse of any member of such board for a vacant or newly created position unless the position has been advertised pursuant to board policy and the superintendent of schools submits a written recommendation for the employment of the spouse to the board of education. The names of all applicants as well as the name of the applicant hired for the position [are to] shall be included in the board minutes.

3. The provisions of Article VII, Section 6 of the Missouri Constitution apply to school districts.

162.281. CANDIDATE TO DECLARE FOR TERM OF SPECIFIC NUMBER OF YEARS, WHEN. — Except as provided in section 162.563, in all seven-director districts, including urban districts, when directors are to be elected for terms of different lengths, each candidate shall declare for a term of a specific number of years and the different terms shall be voted upon as separate propositions.

162.291. DIRECTORS — ELECTION — QUALIFICATIONS. — Except as provided in section 162.563, the voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in [this state] the district for one year next preceding their election or appointment, and who are at least twenty-four years of age.

162.471. BOARD OF DIRECTORS — QUALIFICATIONS, TERMS, VACANCIES. — 1. The government and control of an urban school district is vested in a board of seven directors.

2. Except as provided in section 162.563, each director shall be a voter of the district who has resided within this state for one year next preceding [his] the director's election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in [section] sections 162.481 [and section], 162.492, and 162.563, shall hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold [his] office until the next school board election, when [his] a successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

162.481. ELECTIONS IN URBAN SCHOOL DISTRICTS, HELD WHEN — ELECTIONS IN SPRINGFIELD, POST-2000 CENSUS URBAN SCHOOL DISTRICTS, ST. CHARLES COUNTY, AND BUCHANAN COUNTY. — 1. Except as otherwise provided in this section and [in section] sections 162.492 and 162.563, all elections of school directors in urban school districts shall be held biennially at the same times and places as municipal elections.

2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban school district, the directors of the prior seven-director district shall continue as directors of the urban school district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban school district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban school district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban school district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban school district have been elected under this subsection, their successors shall be elected for terms of six years.

3. In any school district in which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.

162.491. DIRECTORS MAY BE NOMINATED BY PETITION, WHEN — CONTENTS OF PETITION, CERTAIN DISTRICTS — NO PETITION REQUIRED, BUCHANAN COUNTY. — 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, except as provided in subsection 4 of this section.

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban school districts ~~[which]~~ that do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.

5. No candidate for election as a school board director representing a subdistrict as provided in section 162.563 shall be required to file a declaration of candidacy as provided in this section as the sole method of filing for candidacy.

162.563. SUBDIVISION OF DISTRICTS — DEFINITIONS — PROCEDURE — SCHOOL BOARD TO ADOPT FINAL PLAN, HEARINGS, CONTENT — ELECTION OF SCHOOL BOARD MEMBERS — PETITION TO DIVIDE, PROCEDURE. — 1. As used in this section, the following terms mean:

(1) "School board", the board vested with the government and control of a school district as described in section 162.261 or section 162.471;

(2) "School district", a seven-director school district or an urban school district established in this chapter.

2. A school board may divide the school district into seven subdistricts or a combination of subdistricts and at-large districts and establish the election of school board members as provided in this section.

3. (1) A school board desiring to divide a school district as provided in this section shall vote on the question of dividing the district as provided in this section. Upon the approval of the question by at least four members of the school board, the school board shall develop a proposed plan as described in subdivision (2) of this subsection.

(2) A school board dividing a school district as provided in this section shall develop and adopt a proposed plan for the division of the school district. Such proposed plan shall be adopted upon the approval of at least four members of the school board and shall contain at least the following information:

(a) A summary of the proposed plan for dividing the school district;

(b) A statement indicating whether the school district will be divided into seven subdistricts or a combination of subdistricts and at-large districts;

(c) A description of the areas of the school district each newly elected school board member will represent, with each subdistrict and at-large district represented by a number;

(d) A statement indicating whether the existing school board members will be replaced by the newly elected school board members at one election or in succeeding elections to provide for staggered terms of the members; and

(e) Any other information deemed necessary by the school board.

(3) After the school board develops such proposed plan, the school board shall immediately notify the election authority of the county in which the school district is located. Upon receiving such notification, the election authority shall submit the question of whether to divide the school district as described in the proposed plan to the voters of the school district on the next available day for any municipal election. If a majority of the registered voters of the school district voting on the question approve the division of the school district, the school board shall follow the procedures described in subsection 4 of this section. If a majority of the registered voters of the school district voting on the question reject the division of the school district, no division, as described in this section shall occur.

4. (1) After approval of a question submitted under subdivision (3) of subsection 3 of this section, a school board dividing a school district as provided in this section shall adopt a final plan for the division of the school district based on the proposed plan developed under subsection 3 of this section. Such final plan shall contain at least the following information:

(a) A summary of the proposed plan for dividing the school district;

(b) The time and place of at least two public hearings to be held to consider the proposed plan;

(c) A statement indicating whether the school district will be divided into seven subdistricts or a combination of subdistricts and at-large districts;

(d) A description of the areas of the school district each newly elected school board member will represent, with each subdistrict and at-large district represented by a number;

(e) A statement indicating whether the existing school board members will be replaced by the newly elected school board members at one election or in succeeding elections to provide for staggered terms of the members; and

(f) Any other information deemed necessary by the school board.

(2) For each hearing held as provided in this subsection, the school board shall:

(a) Publish notice of the hearing, the proposed plan, and any amendments to the proposed plan adopted at a previous hearing on the school district's website and by any other method allowed by law, with the first publication to occur no more than thirty days before the hearing and the second publication to occur no earlier than fifteen days and no later than ten days before the hearing;

(b) Hear all alternate proposals for division of the school district and receive evidence for or against such alternate proposals;

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Matter underscored is proposed language.

(c) Hear all protests and receive evidence for or against such proposed division;
(d) Vote on each alternate proposal and protest, which vote shall be the final determination of such alternate proposal or protest;

(e) Adopt any amendments to the proposed plan; and

(f) Perform any other actions related to the proposed plan deemed necessary by the school board.

(3) (a) After the conclusion of the final hearing proceedings but before adjourning such hearing, the school board shall adopt the final plan to divide the school district developed as a result of the hearings.

(b) After the school board adopts the final plan, the school board shall present the final plan to the election authority of the county in which the school district is located for actions required under subdivision (4) of this subsection and publish the final plan in the same manner as the initial proposed plan was published under paragraph (a) of subdivision (2) of this subsection. The final plan shall contain at least the following information:

a. A summary of the final plan for dividing the school district;

b. A statement indicating whether the school district will be divided into seven subdistricts or a combination of subdistricts and at-large districts;

c. A description of the areas of the school district each newly elected school board member will represent, with each subdistrict and at-large district represented by a number;

d. The date of the election of each new school board member as provided in the final plan;

e. A statement indicating whether the existing school board members will be replaced by the newly elected school board members at one election or in succeeding elections to provide for staggered terms of the members; and

f. Any other information deemed necessary by the school board.

(4) (a) After a final plan is adopted as provided in subdivision (3) of this subsection, before December first of the calendar year immediately preceding the general municipal election day in the calendar year in which the residents of the school district will vote to elect new school board members as provided in the final plan, the school board shall divide the school district into seven subdistricts or a combination of subdistricts and at-large districts as directed in the final plan. All subdistricts required by the final plan shall be of contiguous and compact territory and as nearly equal in population as practicable in accordance with the final plan. Within six months after each decennial census is reported to the President of the United States, the school board shall reapportion the subdistricts to be as nearly equal in population as practicable. After the school board divides the school district or reapportions the subdistricts, the school board shall notify the residents of the school district as provided by law.

(b) Any resident of the school district who believes the school board has divided the school district or reapportioned subdistricts in violation of paragraph (a) of this subdivision may petition the circuit court of the county in which the school district exists for an order directing the school board to divide the school district or reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten business days of the school board's notice required in paragraph (a) of this subdivision.

(5) On the first day available for candidate filing for the first general municipal election occurring after the school district is divided as provided in this subsection, any qualified resident who has or will have resided in a subdistrict or at-large district for the year immediately preceding the general municipal election day may file as a candidate for election to the school board as a member representing such subdistrict or at-large district. At the end of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven additional days, and any qualified resident of the school district who has or will have resided in the school district for the year immediately preceding the general municipal election day may file as a candidate for election to the school board as a member representing that subdistrict. No school district shall require a candidate to submit a petition signed by the registered voters of the

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school district as a method of filing a declaration of candidacy. The election authority shall determine the validity of all declarations of candidacy.

(6) When the election is held on the general municipal election day, the seven candidates, one from each of the subdistricts or at-large districts, who receive a plurality of the votes cast by the voters of that subdistrict or at-large district shall be elected. Any candidate who is not a subdistrict resident but qualifies as a candidate as a school district resident as provided in subdivision (5) of this subsection shall be elected by the voters of the school district. Each member shall be elected to a term as provided in the final plan adopted as provided in subdivision (3) of this subsection.

(7) Each member shall serve until a successor is elected or the member vacates the office. Any vacancy that occurs before the end of the member's term shall be filled as provided in section 162.261 or 162.471.

(8) Except for a member who is not a subdistrict resident but is elected as a school district resident to represent a subdistrict as provided in subdivision (5) of this subsection, each member shall reside in the subdistrict the member represents during the member's term.

(9) All other provisions applicable to school districts that are not in conflict with this subsection shall apply to school districts divided as provided in this subsection.

5. (1) If any school district receives a petition, signed by at least ten percent of the number of registered voters of the school district voting in the last school board election, calling for the school district to divide into seven subdistricts or a combination of subdistricts and at-large districts and establish the election of school board members as provided in this subsection, the school district shall immediately notify the election authority of the county in which the school district is located. Upon receiving such notification, the election authority shall submit the question of whether to divide the school district as provided by the petition to the voters of the school district on the next available day for any municipal election. If a majority of the registered voters of the school district voting on the question approve the division of the school district, the school board shall begin the process of adopting the plan as described in this subsection. If a majority of the registered voters of the school district voting on the question reject the division of the school district, no division as described in the petition shall occur.

(2) (a) Any such petition submitted to the school district as provided in this subsection shall contain a proposed plan for the division of the school district. Such proposed plan shall contain at least the following information:

- a. A summary of the proposed plan for dividing the school district;
- b. A statement indicating whether the school district will be divided into seven subdistricts or a combination of subdistricts and at-large districts;
- c. A description of the areas of the school district each newly elected school board member will represent, with each subdistrict and at-large district represented by a number;
- d. The proposed date of the election of each new school board member as provided in the proposed plan;
- e. A statement indicating whether the existing school board members will be replaced by the newly elected school board members at one election or in succeeding elections to provide for staggered terms of the members; and
- f. Any other information deemed necessary by the school board.

(b) If a division of the school district is approved by the voters as provided in subdivision (1) of this subsection, the school board shall create a school district division commission to develop a final plan for division of the school district. The commission shall:

- a. Be composed of nine members as follows:
 - (i) Three members appointed by the superintendent of the school district;
 - (ii) Three members appointed by the county commission; and
 - (iii) Three members appointed by the organizers of the petition to divide the school district; and

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b. Set the time and place of at least two hearings to be held to consider the proposed plan. For each hearing held, the commission shall:

(i) Publish notice of the hearing, the proposed plan, and any amendments to the proposed plan adopted at a previous hearing on the school district's website and by any other method allowed by law, with the first publication to occur no more than thirty days before the hearing and the second publication to occur no earlier than fifteen days and no later than ten days before the hearing;

(ii) Conduct the hearing on the proposal for division of the district on behalf of the petitioners;

(iii) Hear all protests and receive evidence for or against such proposed division; and

(iv) Vote to adopt any proposed plan amendments agreed to by the petitioners as a result of the hearings.

(c) Within ninety days after the adjournment of the final hearing conducted as provided in this subdivision, the commission shall submit the final plan to the election authority of the county in which the school district is located for actions required in subdivision (3) of this subsection and publish the final plan in the same manner as the initial proposed plan was published as provided in item (i) of subparagraph b. of paragraph (b) of this subdivision. The final plan shall contain at least the following information:

a. A summary of the final plan for dividing the school district;

b. A statement indicating whether the school district will be divided into seven subdistricts or a combination of subdistricts and at-large districts;

c. A description of the areas of the school district each newly elected school board member will represent, with each subdistrict and at-large district represented by a number;

d. The date of the election of each new school board member as provided in the final plan;

e. A statement indicating whether the existing school board members will be replaced by the newly elected school board members at one election or in succeeding elections to provide for staggered terms of the members; and

f. Any other information deemed necessary by the commission.

(3) (a) After a final plan is submitted to the election authority as provided in subdivision (2) of this subsection, before December first of the calendar year immediately preceding the general municipal election day in the calendar year in which the residents of the school district will vote to elect new school board members as provided in the final plan, the school district division commission shall divide the school district into seven subdistricts or a combination of subdistricts and at-large districts as directed in the final plan. All subdistricts required by the final plan shall be of contiguous and compact territory and as nearly equal in population as practicable in accordance with the final plan. Within six months after each decennial census is reported to the President of the United States, the commission shall reapportion the subdistricts to be as nearly equal in population as practicable. After the commission divides the school district or reapportions the subdistricts, the commission shall notify the residents of the school district as provided by law.

(b) Any resident of the school district who believes the school district division commission has divided the school district or reapportioned subdistricts in violation of paragraph (a) of this subdivision may petition the circuit court of the county in which the school district exists for an order directing the commission to divide the school district or reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten business days of the commission's notice provided in paragraph (a) of this subdivision.

(4) On the first day available for candidate filing for the first general municipal election occurring after the school district is divided as provided in this subsection, any qualified resident who has or will have resided in a subdistrict or at-large district for the year immediately preceding the general municipal election day may file as a candidate for election to the school board as a member representing such subdistrict or at-large district. At the end of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a candidate in that subdistrict, the election authority shall extend the time for

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Matter underscored is proposed language.

candidate filing by seven additional days, and any qualified resident of the school district who has or will have resided in the school district for the year immediately preceding the general municipal election day may file as a candidate for election to the school board as a member representing that subdistrict. No school district shall require a candidate to submit a petition signed by the registered voters of the school district as a method of filing a declaration of candidacy. The election authority shall determine the validity of all declarations of candidacy.

(5) When the election is held on the general municipal election day, the seven candidates, one from each of the subdistricts or at-large districts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a candidate as a school district resident as provided in subdivision (4) of this subsection shall be elected by the voters of the school district. Each member shall be elected to a term as provided in the final plan approved as provided in subdivision (2) of this subsection.

(6) Each member shall serve until a successor is elected or the member vacates the office. Any vacancy that occurs before the end of the member's term shall be filled as provided in section 162.261 or 162.471.

(7) Except for a member who is not a subdistrict resident but is elected as a school district resident to represent a subdistrict as provided in subdivision (4) of this subsection, each member shall reside in the subdistrict the member represents during the member's term.

(8) All other provisions applicable to school districts that are not in conflict with this subsection shall apply to school districts divided as provided in this subsection.

6. No new plan for division of the school district shall be proposed or adopted as provided in this section sooner than five years after a division of the school district as provided in this section.

162.720. GIFTED CHILDREN, DISTRICT MAY ESTABLISH PROGRAMS FOR — STATE BOARD TO APPROVE — REVIEW OF DECISIONS — IMMUNITY FROM LIABILITY, WHEN. — 1. (1) This subdivision shall apply to all school years ending before July 1, 2024. Where a sufficient number of children are [determined to be] identified as gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

(2) For school year 2024-25 and all subsequent school years, if three percent or more of students enrolled in a school district are identified as gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, the district shall establish a state-approved gifted program for gifted children.

2. For school year 2024-25 and all subsequent school years, any teacher providing gifted services to students in districts with an average daily attendance of more than three hundred fifty students shall be certificated in gifted education. In districts with an average daily attendance of three hundred fifty students or fewer, any teacher providing gifted services shall not be required to be certificated to teach gifted education but such teacher shall annually participate in at least six clock hours of professional development focused on gifted services. The school district shall pay for such professional development focused on gifted services.

3. The state board of education shall determine standards for such gifted programs and gifted services. Approval of [such] gifted programs shall be made by the state department of elementary and secondary education based upon project applications submitted [by July fifteenth of each year] at a time and in a form determined by the department of elementary and secondary education.

[3.] 4. No district shall [make a determination as to whether] identify a child [is] as gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall [determine] identify a child [is] as gifted only if the child meets the definition of gifted children as provided in section 162.675.

[4.] 5. Any district with a gifted education program approved under subsection [2] 3 of this section shall have a policy, approved by the board of education of the district, that establishes a process that outlines the procedures and conditions under which parents or guardians may request a review of the decision [that determined] that their child did not qualify to receive services through the district's gifted education program.

[5.] 6. School districts and school district employees shall be immune from liability for any and all acts or omissions relating to the decision that a child did not qualify to receive services through the district's gifted education program.

7. The department of elementary and secondary education may promulgate all necessary rules and regulations for the implementation and administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

162.974. REIMBURSEMENT FOR EDUCATION COSTS OF HIGH-NEED CHILDREN. — 1. The state department of elementary and secondary education shall reimburse school districts, including special school districts, for the special educational costs of high-need children with an individualized education program exceeding three times the current expenditure per average daily attendance as calculated on the district annual secretary of the board report for the year in which expenditures are claimed. For any school district with an average daily attendance of five hundred students or fewer, the calculation of three times the current expenditure per average daily attendance shall not include any moneys reimbursed to a school district under this section.

2. A school district shall submit, through timely application, as determined by the state department of elementary and secondary education, the cost of serving any high-needs student with an individualized education program, as provided in subsection 1 of this section.

162.1255. FUNDING FOR COMPETENCY-BASED COURSES — AMOUNT. — 1. As used in this section, the following terms mean:

(1) "Competency-based credit", credit awarded by school districts and charter schools to high school students upon demonstration of competency as determined by a school district. Such credit shall be awarded upon receipt of "proficient" or "advanced" on an end-of-course assessment;

(2) "Prior year average attendance percentage", the quotient of the district or charter school's prior year average daily attendance divided by the district or charter school's prior year average yearly enrollment.

2. School districts and charter schools shall receive state school funding under sections 163.031, 163.043, 163.044, and 163.087 for resident pupils enrolled in the school district or charter school and taking competency-based courses offered by the school district.

3. For purposes of calculation and distribution of state aid under section 163.031, attendance of a student enrolled in a district's or charter school's competency-based courses shall equal, upon course completion, the product of the district's or charter school's prior year average attendance percentage multiplied by the total number of attendance hours normally allocable to a noncompetency-based course of equal credit value.

163.016. DESIGNATION OF SCHOOL DISTRICT NUMBER (MONROE CITY). — 1. Notwithstanding the provisions of section 163.011, for any school district located in more than one county and whose headquarters are located within a city of the fourth classification with more than two

thousand five hundred but fewer than two thousand six hundred inhabitants and located in more than one county, the county signified in the school district number shall be the county in the district with the highest dollar value modifier.

2. Notwithstanding the provisions of section 163.011 to the contrary, for any school district located in more than one county and whose headquarters are located within a city with more than two thousand seven hundred but fewer than three thousand inhabitants and located in a county with more than fourteen thousand but fewer than fifteen thousand seven hundred inhabitants and with a county seat with more than two thousand but fewer than three thousand inhabitants, the county signified in the school district number shall be the county in the district with the highest dollar value modifier.

3. Notwithstanding the provisions of section 163.011 to the contrary, for any school district located in more than one county and whose headquarters are located within a city with more than one thousand one hundred seventy but fewer than one thousand three hundred inhabitants and located in a county with more than sixty thousand but fewer than seventy thousand inhabitants, the county signified in the school district number shall be the county in the district with the highest dollar value modifier.

4. Notwithstanding the provisions of section 163.011 to the contrary, for any school district located in more than one county and whose headquarters are located within a city with more than one thousand three hundred but fewer than one thousand five hundred inhabitants and partially located in a county with more than eight thousand but fewer than eight thousand nine hundred inhabitants and with a county seat with more than three hundred but fewer than six hundred inhabitants, the county signified in the school district number shall be the county in the district with the highest dollar value modifier.

167.151. ADMISSION OF NONRESIDENT AND OTHER TUITION PUPILS — CERTAIN PUPILS EXEMPT FROM TUITION — SCHOOL TAX CREDITED AGAINST TUITION — OWNERS OF AGRICULTURAL LAND IN MORE THAN ONE DISTRICT, OPTIONS, NOTICE REQUIRED, WHEN — TEACHERS, CHILDREN MAY ATTEND SCHOOL WHERE PARENT TEACHES, TUITION AMOUNT. —

1. The school board of any district, in its discretion, may admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as provided in subdivision (2) of subsection 3 of this section and in sections 167.121, 167.131, 167.132, and 167.895.

2. Orphan children, children with only one parent living, and children whose parents do not contribute to their support-if the children are between the ages of six and twenty years and are unable to pay tuition-may attend the schools of any district in the state in which they have a permanent or temporary home without paying a tuition fee.

3. (1) For all school years ending on or before June 30, 2023, any [person] individual who pays a school tax in any other district than that in which [he] such individual resides may send [his] such individual's children to any public school in the district in which the tax is paid and receive as a credit on the amount charged for tuition the amount of the school tax paid to the district; except that any [person] individual who owns real estate of which eighty acres or more are used for agricultural purposes and upon which [his] such individual's residence is situated may send [his] such individual's children to public school in any school district in which a part of such real estate, contiguous to that upon which [his] such individual's residence is situated, lies and shall not be charged tuition therefor; so long as thirty-five percent of the real estate is located in the school district of choice. The school district of choice shall count the children in its average daily attendance for the purpose of distribution of state aid through the foundation formula.

(2) For all school years beginning on or after July 1, 2023, any current owner of residential real property or agricultural real property or a named beneficiary of a trust that currently owns residential real property or agricultural real property and that pays a school tax in a district or districts other than the district in which such current owner or current beneficiary resides may send up to four of such owner's or beneficiary's children to a public school, excluding a charter school, in any district in which such owner or trust pays such school tax. For purposes of this subdivision, "residential real property"

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Matter underscored is proposed language.

shall not include any multi-family residential property which exceeds four units. An owner or a named beneficiary of a trust that currently owns residential real property shall not be permitted under this subdivision to send their child to a district outside of the county in which they currently reside. Such owner or beneficiary shall send thirty days' written notice to all school districts involved specifying which school district each child will attend. Such owner or beneficiary shall also present proof of the owner's or trust's annual payment of at least two thousand dollars of school taxes levied on the real property specified in this subdivision within such school district and ownership of the specified real property for not less than the immediately preceding four consecutive years. Neither the resident nor nonresident districts shall be responsible for providing transportation services under this subdivision. The school district attended shall count a child attending under this subdivision in its average daily attendance for the purpose of distribution of state aid under chapter 163, except that such nonresident students shall not be counted in the district's average daily attendance for the purposes of determining eligibility for aid payments under section 163.044.

4. For any school year ending on or before June 30, 2023, any owner of agricultural land who, pursuant to subsection 3 of this section, has the option of sending his children to the public schools of more than one district shall exercise such option as provided in this subsection. Such person shall send written notice to all school districts involved specifying to which school district his children will attend by June thirtieth in which such a school year begins. If notification is not received, such children shall attend the school in which the majority of his property lies. Such person shall not send any of his children to the public schools of any district other than the one to which he has sent notice pursuant to this subsection in that school year or in which the majority of his property lies without paying tuition to such school district.

5. If a pupil is attending school in a district other than the district of residence and the pupil's parent is teaching in the school district or is a regular employee of the school district which the pupil is attending, then the district in which the pupil attends school shall allow the pupil to attend school upon payment of tuition in the same manner in which the district allows other pupils not entitled to free instruction to attend school in the district. The provisions of this subsection shall apply only to pupils attending school in a district which has an enrollment in excess of thirteen thousand pupils and not in excess of fifteen thousand pupils and which district is located in a county [of the first classification] with a charter form of government which has a population in excess of six hundred thousand persons and not in excess of nine hundred thousand persons.

167.225. DEFINITIONS — INSTRUCTION IN BRAILLE FOR VISUALLY IMPAIRED STUDENTS — TEACHER CERTIFICATION. — 1. As used in subsections 1 to 4 of this section, the following terms mean:

(1) "Braille", the system of reading and writing through touch;

(2) "Student", any student who has an impairment in vision that, even with correction, adversely affects a child's educational performance and who is determined eligible for special education services under the Individuals with Disabilities Education Act.

2. All students shall receive instruction in braille reading and writing as part of their individualized education plan unless the individual education program team determines, after an evaluation of a student's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the student's future needs for instruction in braille or the use of braille, that instruction in braille or the use of braille is not appropriate. No student shall be denied instruction in braille reading and writing solely because the student has some remaining vision.

3. Instruction in braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with the student's sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(1) How braille will be implemented as the primary mode for learning through integration with normal classroom activities. If braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which braille instruction will commence;

(3) The level of competency in braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

5. (1) Subsections 5 to 9 of this section shall be known and may be cited as the "Blind Students' Rights to Independence, Training, and Education Act" or the "BRITE Act".

(2) As used in subsections 5 to 9 of this section, the following terms mean:

(a) "Accessible assistive technology device", an assistive technology device, as defined in 20 U.S.C. Section 1401, as amended, that provides blind or visually impaired students the benefits of an educational program in an equally effective and integrated manner as that provided to nondisabled students;

(b) "Adequate instruction", the quality teaching of blind or visually impaired students, as it pertains to general education and necessary blindness skills, in alignment with the U.S. Department of Education's definition of free appropriate public education, as defined in 20 U.S.C. Section 1401, as amended;

(c) "Blind or visually impaired student":

a. A child who:

(i) Has an individualized education program (IEP) or an individualized family service plan (IFSP), as such terms are defined in 20 U.S.C. Section 1401, as amended, or a 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended; and

(ii) Is identified as having the disability of "visual impairment (including blindness)" within the definition of "child with a disability" in 20 U.S.C. Section 1401, as amended; or

b. An individual who is deaf-blind under the federal Individuals with Disabilities Education Act (IDEA), as amended, or other federal law;

(d) "Braille", the system of reading and writing through touch;

(e) "Expanded core curriculum", a disability-specific curriculum that compensates for vision loss, is foundational to all other learning, and that covers the nine essential areas of compensatory access, sensory efficiency, assistive technology, orientation and mobility, social interaction, recreation and leisure, independent living, self-determination, and career education;

(f) "Grade level instruction", instruction that aligns with state-designated content standards and curricula for students of the same age or level of maturity, based on the development of intellectual, emotional, physical, and behavioral capacity that is typical for the student's age or age group;

(g) "Local educational agency" or "LEA", the same definition as in 20 U.S.C. Section 1401, as amended;

(h) "Nonvisual access", the ability of a blind or visually impaired student to use all functions of a device, without using the student's vision, in an equally effective, equally integrated manner and with equivalent ease of use as the student's sighted peers;

(i) "Nonvisual skills", skills that are taught in such a way that the student does not need to use any vision;

(j) "State educational agency", the same definition as in 20 U.S.C. Section 1401, as amended;

(k) "Technology-mediated learning environments and methods", the settings in which electronic and information technology including, but not limited to, the following is used:

- a. Computer-based applications and simulations;
- b. Personal and mobile computing devices such as smartphones or tablets;
- c. Web-based platforms;
- d. Online or distance-learning programs;
- e. Video games; and
- f. Exhibits or installations that feature digital media, wearable technology, or other tools that support participants' engagement with new knowledge, skills, or practices;

(l) "U.S. Access Board", the independent federal agency created in 1973 that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards.

6. (1) Each blind or visually impaired student shall receive instruction in Braille reading and writing as part of such student's individualized education program (IEP) or individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media including, but not limited to, an evaluation of the student's needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate. No blind or visually impaired student shall be denied instruction in Braille reading and writing solely because the student has some vision. During the evaluation and IEP process, consideration shall be given regarding appropriate Braille instruction based on a potential vision loss due to a degenerative medical diagnosis.

(2) In conjunction with the U.S. Department of Education's Braille presumption requirement in the federal Individuals with Disabilities Education Act (IDEA), as amended, instruction in Braille reading and writing shall be sufficient to enable each blind or visually impaired student to communicate effectively and efficiently at a level commensurate with the student's same age and with the student's nondisabled peers of comparable intellectual ability. The blind or visually impaired student's individualized education program (IEP) or individualized family support plan (IFSP) shall specify:

(a) The results obtained from an evaluation of the blind or visually impaired student's reading and writing skills, needs, and appropriate reading and writing media including, but not limited to, an evaluation of the blind or visually impaired student's needs for instruction in Braille or the use of Braille including, but not limited to, consideration regarding appropriate Braille instruction based on a potential vision loss due to a degenerative medical diagnosis;

(b) How Braille will be implemented, if needed as determined by the IEP team, as a primary mode for learning through integration with other classroom activities;

(c) The length of the period of instruction and the frequency and duration of each instructional session as determined by the IEP team, which shall, as closely as appropriate based on individual needs, be identical to the level of instruction provided to nondisabled peers; and

(d) The level of competency in Braille reading and writing to be achieved by the end of the period.

(3) Use, and provision, of Braille materials for reading and writing shall be addressed in 504 plans for blind or visually impaired students created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

7. In conjunction with academic achievement and functional performance requirements of 34 CFR 300.320(a)(2)(i), as amended, instruction in expanded core curriculum shall be provided to blind or visually impaired students to support progress in the general education curriculum.

8. (1) Each blind or visually impaired student shall receive instruction in assistive technology as part of the student's individualized education program (IEP) or individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an evaluation of a student's needs, that instruction in assistive technology is not appropriate. No student shall be denied instruction in assistive technology solely because the student has some vision.

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Matter underscored is proposed language.

(2) In conjunction with accessible assistive technology requirements of the federal Individuals with Disabilities Education Act (IDEA) in 20 U.S.C. 1412(a)(12)(B)(i), as amended, the blind or visually impaired student shall receive grade-level instruction that will equip the blind or visually impaired student with the appropriate technology-mediated learning environments and methods to perform on the same level of proficiency expected of peers of comparable intellectual ability and grade level. The blind or visually impaired student's IEP or IFSP shall specify:

(a) The results obtained from an assessment of the blind or visually impaired student's skills, needs, and appropriate accessible assistive technology including, but not limited to, an evaluation of the future needs for accessible assistive technology training or the use of accessible assistive technology;

(b) How accessible assistive technology will be implemented as a primary mode for learning through integration with other classroom activities;

(c) The frequency and duration of each instructional session;

(d) The level of mastery of the accessible assistive technology specified by the blind or visually impaired student's assessment to be achieved by the end of the period; and

(e) Acknowledgment that either:

a. The blind or visually impaired student may transport the accessible assistive technology to and from school without the need for payment, family assumption of liability for loss or damage, or any other cost to the blind or visually impaired student or the family; or

b. If the accessible assistive technology remains at school, the LEA will provide duplicate accessible assistive technology in the blind or visually impaired student's home without requiring payment, family assumption of liability for loss or damage, or any other cost to the blind or visually impaired student or the family.

(3) Use, and provision, of accessible assistive technology shall be addressed in 504 plans for blind or visually impaired students created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

9. (1) Each blind or visually impaired student shall receive instruction in orientation and mobility as part of the student's individualized education program (IEP) or individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an evaluation of a student's needs, that instruction in orientation and mobility is not appropriate. No student shall be denied instruction in orientation and mobility solely because the student has some vision.

(2) In conjunction with orientation and mobility services requirements of 34 CFR 300.34(c)(7), as amended, blind or visually impaired students shall receive orientation and mobility instruction to equip each blind or visually impaired student with the age-appropriate tools, techniques, and nonvisual skills to navigate in and around the student's home, schools, communities, and other environments as applicable, and as expected of peers of comparable intellectual ability and grade level. The blind or visually impaired student's IEP or IFSP shall specify:

(a) The results obtained from an evaluation of the blind or visually impaired student's orientation and mobility needs including, but not limited to, an evaluation of the blind or visually impaired student's future needs for instruction in orientation and mobility;

(b) How orientation and mobility will be integrated into the home, school, and community;

(c) The date on which orientation and mobility instruction will commence;

(d) The frequency and duration of each instructional session; and

(e) The level of mastery of orientation and mobility skills to be achieved by the end of the period.

(3) Orientation and mobility equipment, accommodations, and modifications shall be addressed in 504 plans for blind or visually impaired students created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

(4) An orientation and mobility evaluation shall be conducted by a person who is appropriately certified by the National Blindness Professional Certification Board (NBPCB) with a National Orientation and Mobility Certification (NOMC), or through the Academy for Certification of Vision

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Rehabilitation and Education Professionals (ACVREP) as a Certified Orientation and Mobility Specialist (COMS), or who holds a nationally recognized certification related to orientation and mobility.

(5) The orientation and mobility evaluations described in subdivision (4) of this subsection shall occur in familiar and unfamiliar environments, during the daytime and nighttime, and around the home, school, and community as determined age appropriate by the blind or visually impaired student's IEP or IFSP.

10. (1) As part of the state educational agency's certification and renewal process, educators hired to teach Braille shall be certified teachers of students with visual impairments, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally recognized certification related to Braille instruction.

(2) As part of the state educational agency's certification and renewal process, educators hired to teach accessible assistive technology shall be certified teachers of students with visual impairments, hold a valid and current Certified Assistive Technology Instructional Specialist for People with Visual Impairments (CATIS), or hold a valid and current National Certification in Access Technology for the Blind (NCATB) or other nationally recognized certification related to assistive technology instruction for individuals with visual impairments.

(3) As part of the state educational agency's certification and renewal process, specialists hired to teach orientation and mobility shall hold a valid and current National Orientation and Mobility Certification (NOMC) or hold a current and valid Certified Orientation and Mobility Specialist (COMS) certification or other nationally recognized certification related to orientation and mobility instruction for individuals with visual impairments.

11. (1) LEAs shall deliver services to blind or visually impaired students in a manner that at all times abides by requirements of the federal Individuals with Disabilities Education Act (IDEA), Title II of the Americans with Disabilities Act, and the Rehabilitation Act of 1973, as amended, including during declared local, state, or national emergencies.

(2) LEAs shall seek and obtain proof of currently available certified professionals from any company, agency, or individual the LEA intends to contract with for services outlined in subsections 5 to 9 of this section.

(3) LEAs shall not impose any preclusions or limitations on a student to receive instruction in orientation and mobility services in and around the home, school, or community setting including during daytime and nighttime hours.

(4) LEAs may require annual written parental consent to conduct effective instruction when such services are provided before or after regular school hours or when such services are provided away from the educational institution or the blind or visually impaired student's residence.

(5) If an LEA prohibits an orientation and mobility instructor from using the instructor's preferred mode of transportation to transport blind or visually impaired students to and from outside environments, the LEA shall provide an equally effective transportation alternative for that purpose without cost to the orientation and mobility instructor. If the blind or visually impaired student's family provides transportation for the student, the LEA shall reimburse the expense.

12. (1) If an LEA requires an eye report, the LEA shall bear all costs associated with obtaining such report. LEAs shall not delay an evaluation for eligibility based on the absence or delay of such report.

(2) All electronic and information technology developed, procured, maintained, or used by LEAs shall be compliant with the U.S. Access Board's Section 508 standards, as amended.

(3) LEAs shall anticipate the need for nonvisual accessibility and adopt policies and procedures to reduce or eliminate common barriers experienced by blind or visually impaired students, parents, educators, administrators, and other staff.

13. Subsections 1 to 4 of this section shall apply in all school years ending before July 1, 2022. Subsections 5 to 12 of this section shall apply in school year 2022-23 and all subsequent school years.

167.268. POLICY FOR READING INTERVENTION PLANS, GRADES KINDERGARTEN THROUGH THREE — CONTENTS — STATE BOARD TO DEVELOP GUIDELINES — INDIVIDUAL READING INTERVENTION PLAN TO BE DEVELOPED. — 1. Each [local] school district and charter school shall have on file a policy for reading [intervention] success plans [for any pupils of the district in grades kindergarten through three pursuant to the provisions of this section. Such plans shall identify strategies to be followed by the district teachers to raise a pupil identified as reading below grade level by recognized methods to reading at grade level by the end of the third grade. Recognized methods of identification may include but need not be limited to the scores of the pupil obtained through any established standardized testing program currently administered by the district, observations of classroom teachers, and documented classroom performance]. Each school district and charter school shall provide all parents and guardians of students, including parents of students who are identified as having a substantial deficiency in reading under subsection 1 of section 167.645, with suggestions for regular parent-guided home reading.

2. [The state board of education] The department of elementary and secondary education shall develop guidelines to assist districts and charter schools in formulating policies for reading [intervention] success plans. Such guidelines may include, but are not limited to, measures of reading proficiency, strategies for addressing reading deficiencies, timelines for measuring pupil improvement in reading, and information on screening [for and treatment] of [auditory] dyslexia, and information on the Lindamood Auditory Conceptualization Test and the Auditory Discrimination in Depth Program]. Such guidelines may also identify performance levels for pupils identified as handicapped or severely handicapped and conditions under which such pupils [are] may be exempt from the provisions of this section and section 167.645.

3. [Each local school district enrolling a pupil identified as reading below grade level shall develop an individual plan of reading intervention for such pupil. The individual pupil's plan may include individual or group reading development activities. The plan may be developed after consultation with the pupil's parent or legal guardian] Each school district and charter school shall provide intensive reading instruction to students as provided in section 167.645.

167.625. WILL'S LAW — DEFINITIONS — EPILEPSY OR SEIZURE DISORDER, INDIVIDUALIZED EMERGENCY HEALTH CARE PLAN, REQUIREMENTS — IMMUNITY FROM LIABILITY, WHEN. — 1. This section shall be known and may be cited as "Will's Law".

2. As used in this section, the following terms mean:

(1) "Individualized emergency health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals, that is consistent with the recommendations of the student's health care providers, that describes procedural guidelines that provide specific directions about what to do in a particular emergency situation, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(2) "Individualized health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals who may be providing epilepsy or seizure disorder care to the student, that is consistent with the recommendations of the student's health care providers, that describes the health services needed by the student at school, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(3) "Parent", a parent, guardian, or other person having charge, control, or custody of a student;

(4) "School", any public elementary or secondary school or charter school;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(5) "School employee", a person employed by a school;

(6) "Student", a student who has epilepsy or a seizure disorder and who attends a school.

3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at school shall inform the school nurse or the school administrator or the administrator's designee in the absence of the school nurse. The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student. The parent of the student shall annually provide to the school written authorization for the provision of epilepsy or seizure disorder care as described in the individualized plans.

(2) The individualized plans developed under subdivision (1) of this subsection shall be updated by the school nurse before the beginning of each school year and as necessary if there is a change in the health status of the student.

(3) Each individualized health care plan shall, and each individualized emergency health care plan may, include but not be limited to the following information:

(a) A notice about the student's condition for all school employees who interact with the student;

(b) Written orders from the student's physician or advanced practice nurse describing the epilepsy or seizure disorder care;

(c) The symptoms of the epilepsy or seizure disorder for that particular student and recommended care;

(d) Whether the student may fully participate in exercise and sports, and any contraindications to exercise or accommodations that shall be made for that particular student;

(e) Accommodations for school trips, after-school activities, class parties, and other school-related activities;

(f) Information for such school employees about how to recognize and provide care for epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when to call for assistance, emergency contact information, and parent contact information;

(g) Medical and treatment issues that may affect the educational process of the student;

(h) The student's ability to manage, and the student's level of understanding of, the student's epilepsy or seizure disorder; and

(i) How to maintain communication with the student, the student's parent and health care team, the school nurse or the school administrator or the administrator's designee in the absence of the school nurse, and the school employees.

4. (1) The school nurse assigned to a particular school or the school administrator or the administrator's designee in the absence of the school nurse shall coordinate the provision of epilepsy and seizure disorder care at that school and ensure that all school employees are trained every two years in the care of students with epilepsy and seizure disorders including, but not limited to, school employees working with school-sponsored programs outside of the regular school day, as provided in the student's individualized plans.

(2) The training required under subdivision (1) of this subsection shall include an online or in-person course of instruction approved by the department of health and senior services that is provided by a reputable, local, Missouri-based health care or nonprofit organization that supports the welfare of individuals with epilepsy and seizure disorders.

5. The school nurse or the school administrator or the administrator's designee in the absence of the school nurse shall obtain a release from a student's parent to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers. The release shall also authorize the school nurse or the school administrator or the administrator's designee in the absence of the school nurse to share medical information with other school employees in the school district as necessary. No sharing of information under this subsection shall be construed to be a violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a student's parent has provided a release under this subsection.

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6. No school employee including, but not limited to, a school nurse, a school bus driver, a school bus aide, or any other officer or agent of a school shall be held liable for any good faith act or omission consistent with the provisions of this section, nor shall an action before the state board of nursing lie against a school nurse for any such action taken by a school employee trained in good faith by the school nurse under this section. "Good faith" shall not be construed to include willful misconduct, gross negligence, or recklessness.

167.640. STUDENT PROMOTION CONDITIONED ON REMEDIATION — TUTORIAL ACTIVITIES AND OTHER SUGGESTED PROGRAMS. — 1. School districts [may] shall adopt a policy with regard to student promotion which may require remediation as a condition of promotion to the next grade level for any student identified by the district as failing to master skills and competencies established for that particular grade level by the district board of education. School districts may also require parents or guardians of such students to commit to conduct home-based tutorial activities with their children or, in the case of a student with disabilities eligible for services pursuant to sections 162.670 to 162.1000, the individual education plan shall determine the nature of parental involvement consistent with the requirements for a free, appropriate public education.

2. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels. Such remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such activities conducted by the school district outside of the regular school day. Decisions concerning the instruction of a child who receives special educational services pursuant to sections 162.670 to 162.1000 shall be made in accordance with the child's individualized education plan.

3. School districts providing remediation pursuant to this section or section 167.645 outside of the traditional school day may count extra hours of instruction in the calculation of average daily attendance as defined in section 163.011.

167.645. READING ASSESSMENTS REQUIRED, WHEN — READING IMPROVEMENT PLAN REQUIRED, WHEN — ADDITIONAL READING INSTRUCTION REQUIRED, WHEN — RETENTION IN GRADE PERMITTED, WHEN. — 1. [For purposes of this section, the following terms mean:

(1) "Reading assessment", a recognized method of judging a student's reading ability, with results expressed as reading at a particular grade level. The term reading assessment shall include, but is not limited to, standard checklists designed for use as a student reads out loud, paper-and-pencil tests promulgated by nationally recognized organizations and other recognized methods of determining a student's reading accuracy, expression, fluency and comprehension in order to make a determination of the student's grade-level reading ability. Assessments which do not give a grade-level result may be used in combination with other assessments to reach a grade-level determination. Districts are encouraged but not required to select assessment methods identified pursuant to section 167.346. Districts are also encouraged to use multiple methods of assessment;

(2) "Summer school", for reading instruction purposes, a minimum of forty hours of reading instruction and practice. A school district may arrange the hours and days of instruction to coordinate with its regular program of summer school.

2. For purposes of this section, methods of reading assessment shall be determined by each school district. Unless a student has been determined in the current school year to be reading at grade level or above, each school district shall administer a reading assessment or set of assessments to each student within forty-five days of the end of the third-grade year, except that the provisions of this subsection shall not apply to students receiving special education services under an individualized education plan pursuant to sections 162.670 to 162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of 1973 whose services plan includes an element addressing reading or to students determined to have limited English proficiency or to students who have been determined, prior to the

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beginning of any school year, to have a cognitive ability insufficient to meet the reading requirement set out in this section, provided that districts shall provide reading improvement plans for students determined to have such insufficient cognitive ability. The assessment required by this subsection shall also be required for students who enter a school district in grades four, five or six unless such student has been determined in the current school year to be reading at grade level or above.

3. Beginning with school year 2002-03, for each student whose third-grade reading assessment determines that such student is reading below second-grade level, the school district shall design a reading improvement plan for the student's fourth-grade year. Such reading improvement plan shall include, at a minimum, thirty hours of additional reading instruction or practice outside the regular school day during the fourth-grade year. The school district shall determine the method of reading instruction necessary to enforce this subsection. The school district may also require the student to attend summer school for reading instruction as a condition of promotion to fourth grade. The department of elementary and secondary education may, from funds appropriated for the purpose, reimburse school districts for additional instructional personnel costs incurred in the implementation and execution of the thirty hours of additional reading instruction minus the revenue generated by the school district through the foundation formula for the additional reading instruction average daily attendance.

4. Each student for whom a reading improvement plan has been designed pursuant to subsection 3 of this section shall be given another reading assessment, to be administered within forty-five days of the end of such student's fourth-grade year. If such student is determined to be reading below third-grade level, the student shall be required to attend summer school to receive reading instruction. At the end of such summer school instruction, such student shall be given another reading assessment. If such student is determined to be reading below third-grade level, the district shall notify the student's parents or guardians, and the student shall not be promoted to fifth grade. No student shall be denied promotion more than once solely for inability to meet the reading standards set out in this section.

5. The process described in subsections 3 and 4 of this section shall be repeated as necessary through the end of the sixth grade, with the target grade level rising accordingly. Mandatory retention in grade shall not apply to grades subsequent to fourth grade.

6. The mandatory process of additional reading instruction pursuant to this section shall cease at the end of the sixth grade. The permanent record of students who are determined to be reading below the fifth-grade level at the end of sixth grade shall carry a notation advising that such student has not met minimal reading standards. The notation shall stay on the student's record until such time as the district determines that a student has met minimal reading standards.

7. Each school district shall be required to offer summer school reading instruction to any student with a reading improvement plan. Districts may fulfill the requirement of this section through cooperative arrangements with neighboring districts; provided that such districts shall timely make all payments provided pursuant to such cooperative agreements.

8. A school district may adopt a policy that requires retention in grade of any student who has been determined to require summer school instruction in reading and who does not fulfill the summer school attendance requirement.

9. Nothing in this section shall preclude a school district from retaining any student in grade when a determination is made in accordance with district policy that retention is in the best interests of the student.

10. The state board of education shall not incorporate information about the number of students receiving additional instruction pursuant to this section into any element of any standard of the Missouri school improvement program or its successor accreditation program; provided, however, each district shall make available, upon the request of any parent, patron, or media outlet within the district, the number and percentage of students receiving remediation pursuant to this section. The information shall

be presented in a way that does not permit personal identification of any student or educational personnel.

11. Each school district shall make a systematic effort to inform parents of the methods and materials used to teach reading in kindergarten through fourth grade, in terms understandable to a layperson and shall similarly inform parents of students for whom a reading improvement plan is required pursuant to this section] Each school district and charter school shall assess all students enrolled in kindergarten through grade three at the beginning and end of each school year for their level of reading or reading readiness on state-approved reading assessments. Additionally, all school districts and charter schools shall assess any newly enrolled student in grades one through five for their level of reading or reading readiness on a reading assessment from the state-approved list. At the beginning of the school year, each school district and charter school shall provide a reading success plan to any student who:

(1) Exhibits a substantial deficiency in reading which creates a barrier to the child's progress learning to read. The identification of such deficiency may be based upon the most recent assessments or teacher observation; or

(2) Has been identified as being at risk of dyslexia in the statewide dyslexia screening or has a formal diagnosis of dyslexia.

For the purposes of this section, a substantial reading deficiency shall refer to a student who is one or more grade level or levels behind in reading or reading readiness; provided that nothing in this section shall be interpreted to prevent a school district or charter school from offering a reading success plan to any student based on an assessment completed at the start and end of the school year or teacher observation. For any student entering the school district or charter school after the start of the school year, such student shall be provided a reading success plan in the event the student has been identified as having a substantial reading deficiency based on the student's most recent assessment or otherwise being identified through teacher observation. The student's reading proficiency shall be reassessed by reading assessments on the state-approved list. The student shall continue to be provided with intensive reading instruction under a reading success plan until the reading deficiency is remedied.

2. The district or charter school shall notify the parent or guardian of any student in kindergarten through grade three who exhibits a substantial deficiency in reading, as described in subsection 1 of this section, at least annually in writing, and in an appropriate, alternative manner for the parent or other guardian if necessary, of the following:

(1) That the child has been identified as having a substantial deficiency in reading;

(2) A description of the services currently provided to the child;

(3) A description of the proposed supplemental instructional services and supports that the school district will provide to the child that are designed to remediate the identified area of reading deficiency. For students identified as being at risk of dyslexia or those that have a diagnosis of dyslexia the district shall provide an explanation that the instruction that will be used to teach the child reading shall be explicit, systematic, and diagnostic and based on phonological awareness, phonics, fluency, vocabulary, comprehension, morphology, syntax, and semantics;

(4) Strategies for parents and guardians to use in helping the child succeed in reading proficiency, including but not limited to the promotion of parent-guided home reading.

3. If the school district or charter school provides a summer reading program under this section, the district or charter school shall notify the parent or guardian of each student who exhibits a substantial deficiency in reading of the opportunity to attend the summer reading program.

4. If a student has a substantial reading deficiency at the end of third grade, the student's parent or guardian and appropriate school staff shall discuss whether the student should be retained in grade level, based on a consideration of all relevant factors, including the reading deficiency, the student's progress in other subject areas, and the student's overall intellectual, physical, emotional, and social development.

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A decision to promote or retain a student with a substantial reading deficiency at the end of grade three shall be made only after direct personal consultation with the student's parent or guardian and after the formulation of a specific plan of action to remedy the student's reading deficiency.

5. Each school district or charter school shall do all of the following:

(1) Provide students who are identified as having a substantial deficiency in reading under subsection 1 of this section, have been identified as being at risk of dyslexia in the statewide dyslexia screening, or have a formal diagnosis of dyslexia with intensive instructional services and supports specified in a reading success plan, as appropriate according to student need, free of charge, to remediate the identified areas of reading deficiency, including additional scientific, evidence-based reading instruction and other strategies prescribed by the school district or charter school which may include but are not limited to the following:

- (a) Small group or individual instruction;
- (b) Reduced teacher-student ratios;
- (c) More frequent progress monitoring;
- (d) Tutoring or mentoring;
- (e) Extended school day, week, or year; and
- (f) Summer reading programs;

(2) For any student with a formal diagnosis of dyslexia or for a student who was found to be at risk of dyslexia in the statewide dyslexia screening, the school district or charter school shall provide evidence-based reading instruction that addresses phonology, sound-symbol association, syllable instruction, morphology, syntax, and semantics provided through systematic, cumulative, explicit, and diagnostic methods;

(3) At regular intervals, but no less than four times per year in a manner that reflects progress through each school term, notify the parent or guardian of academic and other progress being made by the student and give the parent or guardian other useful information;

(4) In addition to required reading enhancement and acceleration strategies, provide all parents of students, including parents of students who are identified as having a substantial deficiency in reading under subsection 1 of this section, with a plan that includes suggestions for regular parent-guided home reading.

6. Each school district and charter school shall ensure that intensive reading instruction through a reading development initiative shall be provided to each kindergarten through grade five student who is assessed as exhibiting a substantial deficiency in reading. In addition to the requirements otherwise provided, such instruction shall also comply with all of the following criteria:

(1) Be provided to all kindergarten through grade five students who exhibit a substantial deficiency in reading under this section. The assessments shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(2) Be provided during regular school hours;

(3) Provide a reading curriculum that meets the requirements of section 170.014, and at a minimum has the following specifications:

(a) Assists students assessed as exhibiting a substantial deficiency in reading to develop the skills to read at grade level;

(b) Provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(c) Includes a scientifically based and reliable assessment;

(d) Provides initial and ongoing analysis of each student's reading progress; and

(e) Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.

7. School districts and charter schools shall report to the department the specific intensive reading interventions and supports implemented by the school district or charter school pursuant to this section

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as well as the reading assessment data collected for grades kindergarten through five. The department shall annually prescribe the components of required or requested reports.

8. (1) Each school district and charter school shall address reading proficiency as part of its comprehensive school improvement plan, drawing upon information about children from assessments conducted pursuant to subsection 1 of this section and the prevalence of deficiencies identified by classroom, elementary school, and other student characteristics. As part of its comprehensive school improvement plan or contract, each school district or charter school shall review chronic early elementary absenteeism for its impact on literacy development. If more than fifteen percent of an attendance center's students are not at grade level in reading by the end of third grade, the comprehensive school improvement plan or contract shall include strategies to reduce that percentage, including school and community strategies to raise the percentage of students who are proficient in reading.

(2) Each school district and charter school shall provide professional development services to enhance the skills of elementary teachers in responding to children's unique reading issues and needs and to increase the use of evidence-based strategies.

167.850. PILOT RECOVERY HIGH SCHOOLS — DEFINITIONS — DESIGNATION, PROCEDURE — AGREEMENT FOR ENROLLMENT — POLICY FOR TUITION RATES — RULEMAKING AUTHORITY. — 1. As used in this section, the following terms mean:

(1) "Board", the state board of education;

(2) "Commissioner", the commissioner of education;

(3) "Recovery high school", a public high school that serves eligible students diagnosed with substance use disorder or dependency as defined by the most recent Diagnostic and Statistical Manual of Mental Disorders and that provides both a comprehensive four-year high school education in an alternative public school setting and a structured plan of recovery;

(4) "Sending district", the school district where a student attending or planning to attend the recovery high school resides and from which the student is referred for enrollment in a recovery high school.

2. (1) The commissioner may approve and authorize up to four pilot recovery high schools, geographically located in metropolitan areas throughout the state, to be established by school districts or groups of school districts for the purpose of demonstrating the effectiveness of the recovery high school model in this state. The commissioner shall issue a request for proposals from school districts to operate a pilot recovery high school. Such proposals may be submitted by an individual school district proposing to operate a recovery high school or by a group of school districts proposing to jointly operate such a school. Such proposals shall be submitted to the commissioner no later than December first of the school year prior to the school year in which the recovery high school is proposed to begin operation. The approval of the board shall be required for the recovery high school to begin operation.

(2) Proposals shall detail how the district or districts will satisfy the criteria for a high school education program under state law and board rule and how the recovery high school will satisfy the requirements for accreditation by the Association of Recovery Schools or another recovery school accreditation organization authorized by the board. The proposal shall include a financial plan outlining the anticipated public and private funding that will allow the recovery high school to operate and meet the school's educational and recovery criteria. The district or districts may partner with one or more local nonprofit organizations or other local educational agencies regarding establishment and operation of a recovery high school and may establish a joint board to oversee the operation of the recovery high school as provided in a memorandum of understanding entered with such organization or organizations.

(3) By approval of the proposal upon the recommendation of the commissioner, the board shall be deemed to have authorized all necessary equivalencies and waivers of regulations enumerated in the proposal.

(4) The commissioner may specify an authorization period for the recovery high school, which shall be no less than four years. Before July first of each year the recovery high school is in operation, the school district or group of school districts, in consultation with the recovery high school, shall submit to the commissioner an analysis of the recovery high school's educational, recovery, and other related outcomes as specified in the proposal. The commissioner shall review the analysis and renew any recovery high school meeting the requirements of this section and the requirements of the school's proposal and may include terms and conditions to address areas needing correction or improvement. The commissioner may revoke or suspend the authorization of a recovery high school not meeting the requirements of this section or the requirements of the school's proposal.

(5) Pupil attendance, dropout rate, student performance on statewide assessments, and other data considered in the Missouri school improvement program and school accreditation shall not be attributed to the general accreditation of either a sending district or the district or districts operating the recovery high school and may be used by the commissioner only in the renewal process for the recovery high school as provided in this subsection.

3. (1) A school district may enter into an agreement with a district or districts operating a recovery high school for the enrollment of an eligible student who is currently enrolled in or resides in the sending district.

(2) A parent or guardian may seek to enroll an eligible student residing in a sending district in a recovery high school created under this section. A student over eighteen years of age residing in a sending district may seek to enroll in a recovery high school.

(3) An eligible student shall mean a student who is in recovery from substance use disorder or substance dependency, or such a condition along with co-occurring disorders such as anxiety, depression, and attention deficit hyperactivity disorder, and who is determined by the recovery high school to be a student who would academically and clinically benefit from placement in the recovery high school and is committed to working on the student's recovery. The recovery high school shall consider available information including, but not limited to, any recommendation of a drug counselor, alcoholism counselor, or substance abuse counselor licensed or certified under applicable laws and regulations.

(4) A recovery high school shall not limit or deny admission to an eligible student based on race, ethnicity, national origin, disability, income level, proficiency in the English language, or athletic ability.

4. (1) The recovery high school shall annually adopt a policy establishing a tuition rate for its students no later than February first of the preceding school year.

(2) The sending district of an eligible student who is enrolled in and attending a recovery high school shall pay tuition to the recovery high school equal to the lesser of:

(a) The tuition rate established under subdivision (1) of this subsection; or

(b) The state adequacy target, as defined in section 163.011, plus the average sum produced per child by the local tax effort above the state adequacy target of the sending district.

(3) If costs associated with the provision of special education and related disability services to the student exceed the tuition to be paid under subdivision (2) of this subsection, the sending district shall remain responsible for paying the excess cost to the recovery high school.

(4) The commissioner may enter into an agreement with the appropriate official or agency of another state to develop a reciprocity agreement for otherwise eligible, nonresident students seeking to attend a recovery high school in this state. A recovery high school may enroll otherwise eligible students residing in a state other than this state as provided in such reciprocity agreement. Such reciprocity agreement shall require the out-of-state student's district of residence to pay to the recovery high school an annual amount equal to one hundred five percent of the tuition rate for the recovery high school established under this subsection. If an otherwise eligible student resides in a state that is not subject to a reciprocity agreement, such student may attend a recovery high school provided such student pays to the school one hundred five percent of the tuition rate for the recovery high school established under

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this subsection. No student enrolled and attending a recovery high school under this subdivision shall be included as a resident pupil for any state aid purpose under chapter 163.

5. The board, in consultation with the department of mental health, may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

168.021. ISSUANCE OF TEACHERS' LICENSES AND SCHOLARS CERTIFICATES, REQUIREMENTS, PROCEDURE — FEES — EFFECT OF CERTIFICATION IN ANOTHER STATE AND SUBSEQUENT EMPLOYMENT IN THIS STATE — CERTIFICATE ISSUANCE FOR MILITARY MEMBERS. — 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

- (1) By the state board, under rules and regulations prescribed by it:
 - (a) Upon the basis of college credit;
 - (b) Upon the basis of examination;
- (2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (2) of subsection 3 of this section;
- (3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:
 - (a) Recommendation of a state-approved baccalaureate-level teacher preparation program;
 - (b) a. Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education[.];
 - b. (i) Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate;
 - (ii) During the two-year nonrenewable provisional certification, an individual teacher may gain full professional certification by:
 - i. Achieving a qualifying score on the designated exam; or
 - ii. Successfully achieving an acceptable score on the state-approved teacher evaluation system from seven walk-through evaluations, two formative evaluations, and one summative evaluation for each of the two probationary years and being offered a third contract by the employing district. For any applicant who has a change in job status because of a reduction in the workforce or a change in life circumstances, the scores required under this item may be scores achieved in any school district during the two-year nonrenewable provisional certification period; and
 - (iii) The employing school district shall recommend to the department of elementary and secondary education that the individual teacher be awarded a full professional certification by the state board under rules prescribed by the state board; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (2) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates;

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, or special education. For certification in the area of elementary education, ninety contact hours in the classroom shall be required, of which at least thirty shall be in an elementary classroom. Upon the completion of the following requirements [listed in paragraphs (a), (b), (c), and (d) of this subdivision], an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (3) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participation in a beginning teacher assistance program; or

(6) (a) By the state board, under rules and regulations prescribed by ~~it~~ the board, which shall issue an initial visiting scholars certificate at the discretion of the board, based on the following criteria:

~~[(a)]~~ a. Verification from the hiring school district that the applicant will be employed as part of a business-education partnership initiative designed to build career pathways systems or employed as part of an initiative designed to fill vacant positions in hard-to-staff public schools or hard-to-fill subject areas for students in a grade or grades not lower than the ninth grade for which the applicant's academic degree or professional experience qualifies ~~him or her~~ the applicant;

~~[(b)]~~ b. Appropriate and relevant bachelor's degree or higher, occupational license, or industry-recognized credential;

~~[(c)]~~ c. Completion of the application for a one-year visiting scholars certificate; and

~~[(d)]~~ d. Completion of a background check as prescribed under section 168.133.

~~[(b)]~~ The initial visiting scholars certificate shall certify the holder of such certificate to teach for one year. An applicant shall be eligible to renew an initial visiting scholars certificate a maximum of two times, based upon the completion of the requirements listed under ~~paragraphs (a), (b), and (d)]~~ subparagraphs a., b., and d. of paragraph (a) of this subdivision; completion of professional development required by the school district and school; and attainment of a satisfactory performance-based teacher evaluation.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of [his or her] such person's current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. (1) Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(2) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program.

(3) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a)[, (b), and] to (c) of subdivision (2) of this subsection or paragraphs (a)[, (b), (c), and] to (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating [his or her] the possessor's certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate [his or her] the teacher's last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating [his or her] the teacher's certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall be valid for three years and shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education [revolving] fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to [his or her] the member's original date of employment in a Missouri public school.

8. Within thirty days of receiving an application from a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis and has successfully completed the background check described under subsection 5 of this section and section 168.133, the state board shall issue to such applicant a full certificate of license to teach, provided that the applicant has paid all necessary fees and has otherwise met all requirements to be issued such a certificate.

**168.036. SUBSTITUTE TEACHER CERTIFICATES, ISSUANCE OF — REQUIREMENTS —
RETIRED TEACHERS EMPLOYED AS SUBSTITUTES, NO LOSS OF RETIREMENT, WHEN —
EMPLOYMENT AS A SUBSTITUTE TEACHER — ORIENTATION — BACKGROUND CHECKS —**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

RULES. — 1. In addition to granting certificates of license to teach in public schools of the state under section 168.021, the state board of education shall grant substitute teacher certificates as provided in this section to any individual seeking to substitute teach in any public school in this state.

2. (1) The state board shall not grant a certificate of license to teach under this section to any individual who has not completed a background check as required under section 168.021.

(2) The state board may refuse to issue or renew, suspend, or revoke any certificate sought or issued under this section in the same manner and for the same reasons as under section 168.071.

3. The state board may grant a certificate under this section to any individual who has completed:

(1) At least thirty-six semester hours at an accredited institution of higher education; or

(2) The twenty-hour online training program required in this section and who possesses a high school diploma or the equivalent thereof.

4. The department of elementary and secondary education shall develop and maintain an online training program for individuals, which shall consist of twenty hours of training related to subjects appropriate for substitute teachers as determined by the department.

5. The state board may grant a certificate under this section to any highly qualified individual with expertise in a technical or business field or with experience in the Armed Forces of the United States who has completed the background check required in this section but does not meet any of the qualifications under subdivision (1) or (2) of subsection 3 of this section if the superintendent of the school district in which the individual seeks to substitute teach sponsors such individual and the school board of the school district in which the individual seeks to substitute teach votes to approve such individual to substitute teach.

6. (1) Notwithstanding any other provisions to contrary, beginning on the effective date of this section and ending on June 30, 2025, any person, who is retired and currently receiving a retirement allowance under sections 169.010 to 169.141 or sections 169.600 to 169.715, other than for disability, may be employed to substitute teach on a part time or temporary substitute basis by an employer included in the retirement system without a discontinuance of the person's retirement allowance. Such a person shall not contribute to the retirement system, or to the public school retirement system established by sections 169.010 to 169.141 or to the public education employee retirement system established by sections 169.600 to 169.715, because of earnings during such period of employment.

(2) In addition to the conditions set forth in subdivision 1 of this subsection, any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor may be employed to substitute teach on a part-time or temporary substitute basis, if such person is performing work for an employer included in the retirement system without a discontinuance of the person's retirement allowance.

(3) If a person is employed pursuant to this subsection on a regular, full-time basis the person shall not be entitled to receive the person's retirement allowance for any month during which the person is so employed. The retirement system may require the employer, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.

7. A certificate granted under this section shall be valid for four years. A certificate granted under this section shall expire at the end of any calendar year in which the individual fails to substitute teach for at least five days or forty hours of in-seat instruction.

8. (1) An individual to whom the state board grants a certificate under this section may be a substitute teacher in a public school in the state if the school district agrees to employ the individual as a substitute teacher and such individual has completed a background check as required in subsection 10 of this section.

(2) No individual to whom the state board grants a certificate under this section and who is under twenty years of age shall be a substitute teacher in grades nine to twelve.

9. Each school district may develop an orientation for individuals to whom the state board grants a certificate under this section for such individuals employed by the school district and may require such individuals to complete such orientation. Such orientation shall contain at least two hours of subjects appropriate for substitute teachers and shall contain instruction on the school district's best practices for classroom management.

10. Beginning January 1, 2023, any substitute teacher may, at the time such substitute teacher submits the fingerprints and information required for the background check required under section 168.021, designate up to five school districts to which such substitute teacher has submitted an application for substitute teaching to receive the results of the substitute teacher's criminal history background check and fingerprint collection. The total amount of any fees for disseminating such results to up to five school districts under this subsection shall not exceed fifty dollars.

11. The state board may exercise the board's authority under chapter 161 to promulgate all necessary rules and regulations necessary for the administration of this section.

168.037. WEB-BASED SURVEY, SUBSTITUTE TEACHERS, PURPOSE — SURVEY COMPLETION AND CONTENTS. — 1. The department of elementary and secondary education shall create and maintain a web-based survey for collecting anonymous information from substitute teachers in Missouri public schools. The survey will collect anonymous, nonbiased, real-time data that school districts, charter schools, and the state can access to study and improve the effectiveness of substitute teachers in supporting instruction and learning and to improve circumstances that may cause a shortage of available substitute teachers.

2. (1) Each substitute teacher in a public school shall complete the survey described in subsection 1 of this section at the end of each day of teaching. The district or charter school in which the substitute teacher is teaching for that day shall provide, by email, a web link to the survey. If needed, the district or charter school shall also provide brief access to a computer or other connected device sufficient to allow the survey to be completed. The survey can also be completed on-site by the substitute teacher using a personal device.

(2) The survey described in subsection 1 of this section shall include, at a minimum, questions regarding: the age and level of education of the substitute teacher, the date of teaching, the district and school, the grade or grades taught, information about support and interaction with school staff, any student health or safety issues experienced, and rate of substitute teacher pay.

3. Districts and charter schools shall annually provide information to the department of elementary and secondary education regarding: use of third-party employment agencies for substitute teachers, daily rate of substitute teacher pay, employment of full-time and part-time substitute teachers, substitute teacher recruitment efforts, the substitute teacher interview process, and use of current school staff as substitute teachers during other assigned time.

168.205. SUPERINTENDENT, SCHOOL DISTRICTS MAY SHARE, WHEN. — 1. Notwithstanding any provision of law to the contrary, two or more school districts may share a superintendent who possesses a valid Missouri superintendent's license. If any school districts choose to share a superintendent, they shall not be required to receive approval from the department of elementary and secondary education but may notify the department.

2. (1) Beginning July 1, 2023, subject to appropriation, a school district that enters into an agreement with another school district to share a superintendent shall receive additional state aid under this subsection.

(2) The department of elementary and secondary education shall annually distribute thirty thousand dollars to any school district that shares a superintendent under this subsection. Any such amount

distributed to a school district shall be in addition to and shall not be included in any calculation of state aid under chapter 163.

(3) To receive the additional thirty thousand dollars under this subsection, the school district shall provide proof to the department of elementary and secondary education that the school district will use all of the additional thirty thousand dollars received under this subsection and at least half of the amount saved as a result of participating in sharing a superintendent under this subsection to compensate teachers or to provide counseling services.

(4) No school district that receives additional funding under this subsection shall receive such funding for more than five years.

168.500. CAREER AND TEACHER EXCELLENCE PLAN, CAREER LADDER FORWARD FUNDING FUND ESTABLISHED — GENERAL ASSEMBLY TO APPROPRIATE FUNDS — TERMINATION OF FUND — PARTICIPATION TO BE VOLUNTARY — QUALIFICATIONS — SPEECH PATHOLOGISTS ON CAREER PROGRAM, WHEN — FUNDING LIMITATIONS. — 1. For the purpose of providing career pay, which shall be a salary supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include classroom teachers, librarians, school counselors and certificated teachers who hold positions as school psychological examiners, parents as teachers educators, school psychologists, special education diagnosticians and speech pathologists, and are on the district salary schedule, there is hereby created and established a career advancement program which shall be known as the "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan or program". Participation by local school districts in the career advancement program established under this section shall be voluntary. The career advancement program is a matching fund program. The general assembly may make an annual appropriation to the excellence in education fund established under section 160.268 for the purpose of providing the state's portion for the career advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund is terminated pursuant to this subsection, the general assembly may appropriate funds to the career ladder forward funding fund. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All interest or other gain received from investment of moneys in the fund shall be credited to the fund. All funds deposited in the fund shall be maintained in the fund until such time as the balance in the fund at the end of the fiscal year is equal to or greater than the appropriation for the career ladder program for the following year, at which time all such revenues shall be used to fund, in advance, the career ladder program for such following year and the career ladder forward funding fund shall thereafter be terminated.

2. The department of elementary and secondary education, at the direction of the commissioner of education, shall study and develop model career plans which shall be made available to the local school districts. These state model career plans shall:

- (1) Contain three steps or stages of career advancement;
- (2) Contain a detailed procedure for the admission of teachers to the career program;
- (3) Contain specific criteria for career step qualifications and attainment. These criteria shall clearly describe the minimum number of professional responsibilities required of the teacher at each stage of the plan and shall include reference to classroom performance evaluations performed pursuant to section 168.128. The criteria may include, but shall not be limited to, teacher externships as provided in section 168.025;

(4) Be consistent with the teacher certification process recommended by the Missouri advisory council of certification for educators and adopted by the department of elementary and secondary education;

(5) Provide that public school teachers in Missouri shall become eligible to apply for admission to the career plans adopted under sections 168.500 to 168.515 after [five] two years of public school teaching in Missouri. All teachers seeking admission to any career plan shall, as a minimum, meet the requirements necessary to obtain the first renewable professional certificate as provided in section 168.021;

(6) Provide procedures for appealing decisions made under career plans established under sections 168.500 to 168.515.

3. School district career plans shall recognize additional responsibilities and volunteer efforts by teachers in formulating criteria for career ladder admission and stage achievement. Such additional responsibilities and volunteer efforts shall be required to occur outside of compensated hours and may include, but shall not be limited to:

(1) Serving as a coach, supervisor, or organizer for any extracurricular activity for which the teacher does not already receive additional compensation;

(2) Serving as a mentor for students, whether in a formal or informal capacity;

(3) Receiving additional teacher training or certification outside of that offered by the school district;

(4) Serving as a tutor or providing additional learning opportunities to students; and

(5) Assisting students with postsecondary education preparation including, but not limited to, teaching an ACT or SAT preparation course or assisting students with completing college or career school admission or financial assistance applications.

4. The commissioner of education shall cause the department of elementary and secondary education to establish guidelines for all career plans established under this section, and criteria that must be met by any school district which seeks funding for its career plan.

[4.] 5. A participating local school district may have the option of implementing a career plan developed by the department of elementary and secondary education or a local plan which has been developed with advice from teachers employed by the district and which has met with the approval of the department of elementary and secondary education. In approving local career plans, the department of elementary and secondary education may consider provisions in the plan of the local district for recognition of teacher mobility from one district to another within this state.

[5.] 6. The career plans of local school districts shall not discriminate on the basis of race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a local school district is optional, and any teacher who declines to participate shall not be penalized in any way.

[6.] 7. In order to receive funds under this section, a school district which is not subject to section 162.920 must have a total levy for operating purposes which is in excess of the amount allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which is subject to section 162.920 must have a total levy for operating purposes which is equal to or in excess of twenty-five cents on each hundred dollars of assessed valuation.

[7.] 8. The commissioner of education shall cause the department of elementary and secondary education to regard a speech pathologist who holds both a valid certificate of license to teach and a certificate of clinical competence to have fulfilled the standards required to be placed on stage III of the career program, provided that such speech pathologist has been employed by a public school in Missouri for at least [five] two years and is approved for placement at such stage III by the local school district.

[8.] 9. Beginning in fiscal year 2012, the state portion of career ladder payments shall only be made available to local school districts if the general assembly makes an appropriation for such program. Payments authorized under sections 168.500 to 168.515 shall only be made available in a year for which a state appropriation is made. Any state appropriation shall be made prospectively in relation to the year in which work under the program is performed.

[9.] 10. Nothing in this section shall be construed to prohibit a local school district from funding the program for its teachers for work performed in years for which no state appropriation is made available.

168.515. SALARY SUPPLEMENT FOR PARTICIPANTS IN CAREER PLAN — METHOD OF DISTRIBUTION — AMOUNTS — MATCHING FUNDS, CONTRIBUTIONS — REVIEW OF CAREER PAY — TAX LEVY AUTHORIZED, WHEN — USE OF FUNDS. — 1. Each teacher selected to participate in a career plan established under sections 168.500 to 168.515, who meets the requirements of such plan, may receive a salary supplement, the state's share of which shall be distributed under section 163.031, equal to the following amounts applied to the career ladder entitlement of section 163.031:

(1) Career stage I teachers may receive up to an additional one thousand five hundred dollars per school year;

(2) Career stage II teachers may receive up to an additional three thousand dollars per school year;

(3) Career stage III teachers may receive up to an additional five thousand dollars per school year. All teachers within each stage within the same school district shall receive equal salary supplements.

2. The state may make payments pursuant to section 163.031 to the local school district for the purpose of providing funding to the local school district for the payment of any salary supplements provided for in this section, subject to the availability of funds as appropriated each year and distributed on a matching basis where the percentage of state funding shall be [forty] sixty percent and the percentage of local funding shall be [sixty] forty percent.

3. Not less than every fourth year, beginning with calendar year 1988, the general assembly, through the joint committee established under section 160.254, shall review the amount of the career pay provided for in this section to determine if any increases are necessary to reflect the increases in the cost of living which have occurred since the salary supplements were last reviewed or set.

4. To participate in the salary supplement program established under this section, a school district may submit to the voters of the district a proposition to increase taxes for this purpose. If a school district's current tax rate ceiling is at or above the rate from which an increase would require a two-thirds majority, the school board may submit to the voters of the district a proposition to reduce or eliminate the amount of the levy reduction resulting from section 164.013. If a majority of the voters voting thereon vote in favor of the proposition, the board may certify that seventy-five percent of the revenue generated from this source shall be used to implement the salary supplement program established under this section.

5. In no case shall a school district use state funds received under this section nor local revenue generated from a tax established under subsection 4 of this section to comply with the minimum salary requirements for teachers established pursuant to section 163.172.

170.014. READING INSTRUCTION ACT — READING PROGRAMS ESTABLISHED, ESSENTIAL COMPONENTS — EXPLICIT SYSTEMATIC PHONICS DEFINED. — 1. This section shall be known as the "Reading Instruction Act" and is enacted to ensure that all public schools including charter schools establish reading programs in kindergarten through grade [three] five based in scientific research. "Evidence-based reading instruction" includes practices that have been proven effective through evaluation of the outcomes for large numbers of students and are highly likely to be effective in improving reading if implemented with fidelity. Such programs shall include the essential components of phonemic awareness, phonics, fluency, vocabulary, and comprehension, and all new teachers who teach reading in kindergarten through grade three shall receive adequate training in these areas.

2. [The program described in subsection 1 of this section may include "explicit systematic phonics", which, for the purposes of this section, shall mean the methodology of pronouncing and reading words by learning the phonetic sound association of individual letters, letter groups, and syllables, and the principles governing these associations.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

3.] Every public school in the state shall offer a reading program as described in subsection 1 of this section for kindergarten through grade ~~three~~ five.

170.018. COMPUTER SCIENCE, ACADEMIC CREDIT FOR MATH, SCIENCE, OR PRACTICAL ARTS — WORK GROUP — ENDORSEMENT ON TEACHER CERTIFICATE — FUND, GRANTS — RULEMAKING AUTHORITY. — 1. (1) For purposes of this section, "computer science course" means a course in which students study computers and algorithmic processes, including their principles, hardware and software designs, implementation, and impact on society. The term shall include, but not be limited to, a stand-alone course at any elementary, middle, or high school or a course at any elementary or middle school that embeds computer science content within other subjects.

(2) The department of elementary and secondary education shall, before July 1, 2019, develop a high school graduation policy that allows a student to fulfill one unit of academic credit with a district-approved computer science course meeting the standards of subsection 2 of this section for any mathematics, science, or practical arts unit required for high school graduation. The policy shall require that all students have either taken all courses that require end-of-course examinations for math and science or are on track to take all courses that require end-of-course examinations for math and science under the Missouri school improvement program in order to receive credit toward high school graduation under this subsection.

(3) A school district shall communicate to students electing to use a computer science course for a mathematics unit that some institutions of higher education may require four units of academic credit in mathematics for college admission. The parent, guardian, or legal custodian of each student who chooses to take a computer science course to fulfill a unit of academic credit in mathematics shall sign and submit to the school district a document containing a statement acknowledging that taking a computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions.

(4) The department of elementary and secondary education and the department of higher education and workforce development shall cooperate in developing and implementing academic requirements for computer science courses offered in any grade or grades not lower than the ninth nor higher than the twelfth grade.

2. (1) The department of elementary and secondary education shall convene a work group to develop and recommend rigorous academic performance standards relating to computer science for students in kindergarten and in each grade not higher than the twelfth grade. The work group shall include, but not be limited to, educators providing instruction in kindergarten or in any grade not higher than the twelfth grade and representatives from the department of elementary and secondary education, the department of higher education and workforce development, business and industry, and institutions of higher education. The department of elementary and secondary education shall develop written curriculum frameworks relating to computer science that may be used by school districts. The requirements of section 160.514 shall not apply to this section.

(2) The state board of education shall adopt and implement academic performance standards relating to computer science beginning in the 2019-20 school year.

3. Before July 1, 2019, the department of elementary and secondary education shall develop a procedure by which any teacher who holds a certificate of license to teach under section 168.021 and demonstrates sufficient content knowledge of computer science shall receive a special endorsement on [his or her] the teacher's license signifying [his or her] the teacher's specialized knowledge in computer science.

4. (1) For purposes of this subsection, "eligible entity" means:

(a) A local educational agency, or a consortium of local educational agencies, in the state, including charter schools that have declared themselves local educational agencies;

(b) An institution of higher education in the state; or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(c) A nonprofit or private provider of nationally recognized and high-quality computer science professional development, as determined by the department of elementary and secondary education.

(2) There is hereby created in the state treasury the "Computer Science Education Fund". The fund shall consist of all moneys that may be appropriated to it by the general assembly and any gifts, contributions, grants, or bequests received from private or other sources for the purpose of providing teacher professional development programs relating to computer science. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of grants to eligible entities as described in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(3) The state board of education shall award grants from the computer science education fund to eligible entities for the purpose of providing teacher professional development programs relating to computer science. An eligible entity wishing to receive such a grant shall submit an application to the department of elementary and secondary education addressing how the entity plans to:

- (a) Reach new and existing teachers with little computer science background;
- (b) Use effective practices for professional development;
- (c) Focus the training on the conceptual foundations of computer science;
- (d) Reach and support historically underrepresented students in computer science;
- (e) Provide teachers with concrete experience with hands-on, inquiry-based practices; and
- (f) Accommodate the particular needs of students and teachers in each district and school.

5. (1) For all school years beginning on or after July 1, 2023, each public high school and charter high school shall offer at least one computer science course in an in-person setting or as a virtual or distance course option.

(2) Any computer science course or instruction offered under this subsection shall:

- (a) Be of high quality as defined by the state board of education;
- (b) Meet or exceed the computer science performance standards developed and adopted by the department of elementary and secondary education under this section; and

(c) For any computer science course offered by a public high school or charter high school, be offered in such school's course catalog.

(3) On or before June thirtieth of each school year, each school district shall submit to the department of elementary and secondary education a report for the current school year which shall include, but not be limited to:

(a) The names and course codes of computer science courses offered in each school in the district with a course description and which computer science performance standards are covered, to the extent such information is available;

(b) The number and percentage of students who enrolled in each computer science course, listed by the categories in subparagraphs a. to f. of this paragraph. If a category contains one to five students or contains a quantity of students that would allow the quantity of another category that contains five or fewer to be deduced, the number shall be replaced with a symbol:

a. Sex;

b. Race and ethnicity;

c. Special education status including, but not limited to, students receiving services under the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq., as amended) or Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794), as amended;

d. English language learner status;

e. Eligibility for free or reduced price meals; and

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

f. Grade level; and

(c) The number of computer science instructors at each school, listed by the following categories:

a. Applicable certifications;

b. Sex;

c. Race and ethnicity; and

d. Highest academic degree.

(4) On or before September thirtieth of each school year, the department of elementary and secondary education shall post the following on the department's website:

(a) Data received under paragraphs (a) and (b) of subdivision (3) of this subsection, disaggregated by school and aggregated statewide; and

(b) Data received under paragraph (c) of subdivision (3) of this subsection, aggregated statewide.

(5) On or before June thirtieth of each school year, the department of elementary and secondary education shall publish a list of computer science course codes and names with a course description and an indication of which courses meet or exceed the department of elementary and secondary education's computer science performance standards.

6. The department of elementary and secondary education shall appoint a computer science supervisor. The computer science supervisor shall be responsible for implementing the provisions of this section.

7. For all school years beginning on or after July 1, 2023, a computer science course successfully completed and counted toward state graduation requirements shall be equivalent to one science course or one practical arts credit for the purpose of satisfying any admission requirements of any public institution of higher education in this state.

8. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after December 18, 2018, shall be invalid and void.

170.036. COMPUTER SCIENCE EDUCATION TASK FORCE, MEMBERS, MISSION — SUMMARY — TASK FORCE TO DISSOLVE, WHEN. — 1. There is hereby established the "Computer Science Education Task Force" within the department of elementary and secondary education.

2. The task force shall consist of the following members:

(1) Two members of the house of representatives, with one member to be appointed by the speaker of the house of representatives and one member to be appointed by the minority leader of the house of representatives;

(2) Two members of the senate, with one member to be appointed by the president pro tempore of the senate and one member to be appointed by the minority leader of the senate;

(3) The governor or the governor's designee;

(4) The commissioner of education or the commissioner's designee;

(5) The commissioner of higher education or the commissioner's designee;

(6) Nine members who represent the interests of each of the following groups, to be appointed by the commissioner of education:

(a) The state board of education;

(b) Private industry in this state with interest in computer science;

(c) Nonprofit organizations;

(d) An association of school superintendents;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- (e) A statewide association representing computer science teachers;
- (f) A secondary teacher leader from career and technical education representing computer science teachers;
- (g) An association of school board members;
- (h) An association of elementary school principals; and
- (i) An association of secondary school principals;
- (7) A representative from a Missouri institution of higher education, to be appointed by the commissioner of higher education; and
- (8) A representative from a Missouri private, nonprofit institution of higher education, to be appointed by the commissioner of higher education.
- 3. The mission of the computer science education task force shall be to develop a state strategic plan for expanding a statewide computer science education program, including the following:
 - (1) A statement of purpose that describes the objectives or goals the state board of education will accomplish by implementing a computer science education program, the strategies by which those goals will be achieved, and a timeline for achieving those goals;
 - (2) A summary of the current state landscape for K-12 computer science education, including demographic reporting of students taking these courses;
 - (3) A plan for expanding computer science education opportunities to every school in the state within five years and increasing the representation of students from traditionally underserved groups, in computer science including female students, students from historically underrepresented racial and ethnic groups, students with disabilities, English-language learner students, students who qualify for free and reduced-price meals, and rural students;
 - (4) Within one year of the task force forming, a plan for schools serving any student in grades kindergarten through eighth grade to provide instruction in the basics of computer science and computation thinking in an integrated or standalone format beginning in the 2024-25 school year without creating learning loss in the existing curriculum;
 - (5) A plan for ensuring teachers are well-prepared to begin teaching computer science, including defining high quality professional learning for in-service teachers and strategies for pre-service teacher preparation;
 - (6) A plan for ensuring teachers are well-prepared to begin teaching computer science, including defining high-quality professional learning for in-service teachers and strategies for pre-service teacher preparation;
 - (7) An ongoing evaluation process that is overseen by the state board of education;
 - (8) Proposed rules that incorporate the principles of the master plan into the state's public education system as a whole; and
 - (9) A plan to ensure long-term sustainability for computer science education.
- 4. The speaker of the house of representatives shall designate the chair of the task force, and the president pro tempore of the senate shall designate the vice chair of the task force.
- 5. Members of the task force shall serve without compensation, but the members and any staff assigned to the task force shall receive reimbursement for actual and necessary expenses incurred in attending meetings of the task force or any subcommittee thereof. All task force members shall be subject to the same conflict of interest provisions in chapter 105 that are enforced by the Missouri ethics commission in the same manner that elected or appointed officials and employees are subject to such provisions.
- 6. The task force shall hold its first meeting within three months from the effective date of this section.
- 7. Before June 30, 2023, the task force shall present a summary of its activities and any recommendations for legislation to the general assembly.
- 8. The computer science education task force shall dissolve on June 30, 2024.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

170.047. YOUTH SUICIDE AWARENESS AND PREVENTION, TRAINING FOR EDUCATORS — GUIDELINES — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Jason Flatt/Avery Reine Cantor Act".

2. (1) Beginning in the 2017-18 school year and continuing until the end of the 2022-23 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

(2) Beginning in the 2023-24 school year and continuing in subsequent school years, the practicing teacher assistance programs established under section 168.400 may offer and include at least two hours of in-service training provided by each local school district for all practicing teachers in such district regarding suicide prevention. Each school year, all teachers, principals, and licensed educators in each district may attend such training or complete training on suicide prevention through self-review of suicide prevention materials. Attendance at the training shall count as two contact hours of professional development under section 168.021 and shall count as two hours of any other such training required under this section.

[2.] 3. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department [shall] may develop materials that may be used for [such] the training [or professional development] described under subsection 2 of this section or may offer districts materials developed by a third party that districts may use for the training.

[3.] 4. For purposes of this section, the term "licensed educator" shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

[4.] 5. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

[5.] 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. YOUTH SUICIDE AWARENESS AND PREVENTION POLICY, REQUIREMENTS — MODEL POLICY, FEEDBACK. — 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including plans for how the district will provide for the training and education of its district employees.

2. Each district's policy shall address and include, but not be limited to, the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;
- (2) Strategies and protocols for helping students at possible risk of suicide; and
- (3) Protocols for responding to a suicide death.

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department's model policy. The department shall post any information on its website that it has received

from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.

4. (1) Beginning July 1, 2023, a public school or charter school that serves any pupils in grades seven to twelve and that issues pupil identification cards shall have printed on either side of the cards the three-digit dialing code that directs calls and routes text messages to the Suicide and Crisis Lifeline, 988.

(2) If, on July 1, 2023, a public school or charter school subject to the requirements of this subsection has a supply of unissued pupil identification cards that do not comply with the requirements of subdivision (1) of this subsection, the school shall issue those cards until that supply is depleted.

(3) Subdivision (1) of this subsection shall apply to a pupil identification card issued for the first time to a pupil and to a card issued to replace a damaged or lost card.

170.307. MENTAL HEALTH AWARENESS TRAINING AND INSTRUCTION REQUIRED — RULES. — 1. For school year 2022-23 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received mental health awareness training given any time during a pupil's four years of high school.

2. Beginning in school year 2022-23, any public school or charter school serving grades nine through twelve shall provide enrolled students instruction in mental health awareness. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. Instruction shall be included in the district's existing health or physical education curriculum. Instruction shall be based on a program established by the department of elementary and secondary education.

3. The department of elementary and secondary education shall promulgate rules to develop a model curriculum to be used by school districts to provide the instruction required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

171.033. MAKE-UP OF HOURS LOST OR CANCELLED, NUMBER REQUIRED — EXEMPTION, WHEN — WAIVER FOR SCHOOLS, GRANTED WHEN — MAKE-UP HOURS NOT REQUIRED FOR EXCEPTIONAL OR EMERGENCY CIRCUMSTANCES. — 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, excessive heat, flooding, or a tornado.

2. (1) A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays.

(2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one thousand forty-four hours for the school year, except as otherwise provided under subsections 3 and 4 of this section.

3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

(2) In school year 2019-20 and subsequent years, a school district may be exempt from the requirement to make up school lost or cancelled due to inclement weather in the school district when the school district has made up the thirty-six hours required under subsection 2 of this section and half the number of additional lost or cancelled hours up to forty-eight, resulting in no more than sixty total make-up hours required by this section.

4. The commissioner of education may provide, for any school district that cannot meet the minimum school calendar requirement of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week and one thousand forty-four hours of actual pupil attendance or, in school year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather or fire.

5. (1) Except as otherwise provided in this subsection, in school year 2020-21 and subsequent years, a district shall not be required to make up any hours of school lost or cancelled due to exceptional or emergency circumstances during a school year if the district has an alternative methods of instruction plan approved by the department of elementary and secondary education for such school year. Exceptional or emergency circumstances shall include, but not be limited to, inclement weather, a utility outage, or an outbreak of a contagious disease. The department of elementary and secondary education shall not approve any such plan unless the district demonstrates that the plan will not negatively impact teaching and learning in the district.

(2) If school is closed due to exceptional or emergency circumstances and the district has an approved alternative methods of instruction plan, the district shall notify students and parents on each day of the closure whether the alternative methods of instruction plan is to be implemented for that day. If the plan is to be implemented on any day of the closure, the district shall ensure that each student receives assignments for that day in hard copy form or receives instruction through virtual learning or another method of instruction.

(3) A district with an approved alternative methods of instruction plan shall not use alternative methods of instruction as provided for in the plan for more than thirty-six hours during a school year. A district that has used such alternative methods of instruction for thirty-six hours during a school year shall be required, notwithstanding subsections 2 and 3 of this section, to make up any subsequent hours of school lost or cancelled due to exceptional or emergency circumstances during such school year.

(4) The department of elementary and secondary education shall give districts with approved alternative methods of instruction plans credit for the hours in which they use alternative methods of instruction by considering such hours as hours in which school was actually in session.

(5) Any district wishing to use alternative methods of instruction under this subsection shall submit an application to the department of elementary and secondary education. The application shall describe:

(a) The manner in which the district intends to strengthen and reinforce instructional content while supporting student learning outside the classroom environment;

(b) The process the district intends to use to communicate to students and parents the decision to implement alternative methods of instruction on any day of a closure;

(c) The manner in which the district intends to communicate the purpose and expectations for a day in which alternative methods of instruction will be implemented to students and parents;

(d) The assignments and materials to be used within the district for days in which alternative methods of instruction will be implemented to effectively facilitate teaching and support learning for the benefit of the students;

(e) The manner in which student attendance will be determined for a day in which alternative methods of instruction will be implemented. The method chosen shall be linked to completion of lessons and activities;

(f) The instructional methods, which shall include instruction through electronic means and instruction through other means for students who have no access to internet services or a computer;

(g) Instructional plans for students with individualized education programs; and

(h) The role and responsibility of certified personnel to be available to communicate with students.

6. [For the 2018-19 school year, a district shall be exempt from the requirements of subsections 2 and 3 of this section, and only be required to make up the first six days of school lost or cancelled due to inclement weather] In the 2022-23 school year and subsequent years, a school district's one-half-day education programs shall be subject to the following provisions in proportions appropriate for a one-half-day education program, as applicable:

(1) Requirements in subsection 2 of this section to make up days or hours of school lost or cancelled because of inclement weather;

(2) Exemptions in subsection 3 of this section;

(3) Waiver provisions in subsection 4 of this section; and

(4) Approved alternative methods of instruction provisions in subsection 5 of this section.

173.831. WORKFORCE DIPLOMA PROGRAM — DEFINITIONS — PROGRAM PROVIDERS, QUALIFICATIONS, APPROVAL, PAYMENT OF PROVIDERS — REPORT, CONTENTS — SURVEY, CONTENTS — DEPARTMENT REVIEW — FUND CREATED, USE OF MONEYS — RULES — SUNSET PROVISION. — 1. As used in this section, the following terms mean:

(1) "Academic skill intake assessment", a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third-party research;

(2) "Accredited", holding an active accreditation from one of the seven United States regional accreditors including, but not limited to, the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

(3) "Adult dropout recovery services", includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(4) "Approved program provider", a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section or any consortium of such entities;

(5) "Average cost per graduate", the amount of the total program funding reimbursed to an approved program provider for each cohort during the period of time from the beginning of the same cohort through the subsequent twelve months after the close of the same cohort, divided by the total number of students who graduated from the same cohort within twelve months after the close of the same cohort;

(6) "Career pathways coursework", one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

(7) "Career placement services", services designed to assist students in obtaining employment, such as career interest self-assessments and job search skills such as resume development and mock interviews;

(8) "Coaching", proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(9) "Cohort", students who enter the program between July first and June thirtieth of each program year;

(10) "Department", the department of elementary and secondary education;

(11) "Employability skills certification", a certificate earned by demonstrating professional nontechnical skills through assessment, portfolio, or observation;

(12) "Graduate", a student who has successfully completed all of the state and approved program provider requirements in order to obtain a high school diploma;

(13) "Graduation rate", the total number of graduates from a cohort who graduated within twelve months after the close of the cohort divided by the total number of students included in the same cohort;

(14) "Graduation requirements", course and credit requirements for the approved program provider's accredited high school diploma;

(15) "High school diploma", a diploma issued by an accredited institution;

(16) "Industry-recognized credential", an education-related credential or work-related credential that verifies an individual's qualification or competence issued by a third party with the relevant authority to issue such credential;

(17) "Learning plan", a documented plan for courses or credits needed for each individual in order to complete program and approved program provider graduation requirements;

(18) "Mentoring", a direct relationship between a coach and a student to facilitate the completion of the student's learning plan designed to prepare the student to succeed in the program and the student's future endeavors;

(19) "Milestones", objective measures of progress for which payment is made to an approved program provider under this section such as earned units of high school credit, attainment of an employability skills certificate, attainment of an industry-recognized credential, attainment of a technical skills assessment, and attainment of an accredited high school diploma;

(20) "Program", the workforce diploma program established in this section;

(21) "Request for qualifications", a request for interested potential program providers to submit evidence that they meet the qualifications established in subsection 3 of this section;

(22) "Stackable credential", a third party credential that is part of a sequence of credentials that can be accumulated over time to build up an individual's qualifications to advance along a career pathway;

(23) "Student", a participant in the program established in this section who is twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned a high school diploma;

(24) "Technical skills assessment", a criterion-referenced assessment of an individual's skills required for an entry-level career or additional training in a technical field;

(25) "Transcript evaluation", a documented summary of credits earned in previous public or private accredited high schools compared with the program and approved program provider graduation requirements;

(26) "Unit of high school credit", credit awarded based on a student's demonstration that the student has successfully met the content expectations for the credit area as defined by subject area standards, expectations, or guidelines.

2. There is hereby established the "Workforce Diploma Program" within the department of elementary and secondary education to assist students with obtaining a high school diploma and developing employability and career technical skills. The program may be delivered in campus-based, blended, or online modalities.

3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a request for qualifications for interested program providers to become approved program providers and participate in the program.

(2) Each approved program provider shall meet all of the following qualifications:

(a) Be an accredited high school diploma-granting entity;

(b) Have a minimum of two years of experience providing adult dropout recovery services;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(c) Provide academic skill intake assessments and transcript evaluations to each student. Such academic skill intake assessments may be administered in person or online;

(d) Develop a learning plan for each student that integrates graduation requirements and career goals;

(e) Provide a course catalog that includes all courses necessary to meet graduation requirements;

(f) Offer remediation opportunities in literacy and numeracy, as applicable;

(g) Offer employability skills certification, as applicable;

(h) Offer career pathways coursework, as applicable;

(i) Ability to provide preparation for industry-recognized credentials or stackable credentials, a technical skills assessment, or a combination thereof; and

(j) Offer career placement services, as applicable.

(3) Upon confirmation by the department that an interested program provider meets all of the qualifications listed in subdivision (2) of this subsection, an interested program provider shall become an approved program provider.

4. (1) The department shall announce the approved program providers before October sixteenth annually, with authorization for the approved program providers to begin enrolling students before November fifteenth annually.

(2) Approved program providers shall maintain approval without reapplying annually if the approved program provider has not been removed from the approved program provider list under this section.

5. All approved program providers shall comply with requirements as provided by the department to ensure:

(1) An accurate accounting of a student's accumulated credits toward a high school diploma;

(2) An accurate accounting of credits necessary to complete a high school diploma; and

(3) The provision of coursework aligned to the academic performance standards of the state.

6. (1) Except as provided in subdivision (2) of this subsection, the department shall pay an amount as set by the department to approved program providers for the following milestones provided by the approved program provider:

(a) Completion of each half unit of high school credit;

(b) Attainment of an employability skills certification;

(c) Attainment of an industry-recognized credential, technical skills assessment, or stackable credential requiring no more than fifty hours of training;

(d) Attainment of an industry-recognized credential or stackable credential requiring at least fifty-one but no more than one hundred hours of training;

(e) Attainment of an industry-recognized credential or stackable credential requiring more than one hundred hours of training; and

(f) Attainment of an accredited high school diploma.

(2) No approved program provider shall receive funding for a student under this section if the approved program provider receives federal or state funding or private tuition for that student. No approved program provider shall charge student fees of any kind including, but not limited to, textbook fees, tuition fees, lab fees, or participation fees unless the student chooses to obtain additional education offered by the approved program provider that is not included in the state-funded program.

(3) Payments made under this subsection shall be subject to an appropriation made to the department for such purposes.

7. (1) Approved program providers shall submit monthly invoices to the department before the eleventh calendar day of each month for milestones met in the previous calendar month.

(2) The department shall pay approved program providers in the order in which invoices are submitted until all available funds are exhausted.

(3) The department shall provide a written update to approved program providers by the last calendar day of each month. The update shall include the aggregate total dollars that have been paid to approved program providers to date and the estimated number of enrollments still available for the program year.

8. Before July sixteenth of each year, each provider shall report the following metrics to the department for each individual cohort, on a cohort-by-cohort basis:

(1) The total number of students who have been funded through the program;

(2) The total number of credits earned;

(3) The total number of employability skills certifications issued;

(4) The total number of industry-recognized credentials, stackable credentials, and technical skills assessments earned for each tier of funding;

(5) The total number of graduates;

(6) The average cost per graduate once the stipulated time to make such a calculation has passed;
and

(7) The graduation rate once the stipulated time to make such a calculation has passed.

9. (1) Before September sixteenth of each year, each approved program provider shall conduct and submit to the department the aggregate results of a survey of each individual cohort, on a cohort-by-cohort basis, who graduated from the program of the approved program provider under this section. The survey shall be conducted in the year after the year in which the individuals graduate and the next four consecutive years.

(2) The survey shall include at least the following data collection elements for each year the survey is conducted:

(a) The individual's employment status, including whether the individual is employed full time or part time;

(b) The individual's hourly wages;

(c) The individual's access to employer-sponsored health care; and

(d) The individual's postsecondary enrollment status, including whether the individual has completed a postsecondary certificate or degree program.

10. (1) Beginning at the end of the second fiscal year of the program, the department shall review data from each approved program provider to ensure that each is achieving minimum program performance standards including, but not limited to:

(a) A minimum fifty percent average graduation rate per cohort; and

(b) An average cost per graduate per cohort of seven thousand dollars or less.

(2) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection shall be placed on probationary status for the remainder of the fiscal year by the department.

(3) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection for two consecutive years shall be removed from the approved program provider list by the department.

11. (1) No approved program provider shall discriminate against a student on the basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.

(2) If an approved program provider determines that a student would be better served by participating in a different program, the approved program provider may refer the student to the state's adult basic education services.

12. (1) There is hereby created in the state treasury the "Workforce Diploma Program Fund", which shall consist of any grants, gifts, donations, bequests, or moneys appropriated under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in this section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

13. The director of the department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

14. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

173.1352. ADVANCED PLACEMENT EXAMS, UNDERGRADUATE COURSE CREDIT, WHEN. —

1. As used in this section, the following terms mean:

(1) "Advanced placement examination", any examination administered through the College Board's Advanced Placement Program (AP);

(2) "Institution", any in-state public community college, college, or university that offers postsecondary freshman-level courses.

2. (1) Each institution shall adopt and implement a policy to grant undergraduate course credit to entering freshman students for each advanced placement examination upon which such student achieves a score of three or higher for any similarly correlated course offered by the institution at the time of such student's acceptance into the institution.

(2) In the policy, the institution shall:

(a) Establish the institution's conditions for granting course credit; and

(b) Identify the specific course credit or other academic requirements of the institution, including the number of semester credit hours or other course credit, that the institution will grant to a student who achieves required scores on advanced placement examinations.

3. On request of an applicant for admission as an entering freshman, and based on information provided by the applicant, an institution shall determine and notify the applicant regarding:

(1) The amount and type of any course credit that would be granted to the applicant under the policy; and

(2) Any other academic requirement that the applicant would satisfy under the policy.

178.694. IMAGINATION LIBRARY OF MISSOURI PROGRAM — DEFINITIONS — PURPOSE — DOLLY PARTON'S IMAGINATION LIBRARY AFFILIATE — READING SELECTIONS PROVIDED TO ELIGIBLE CHILDREN — RULEMAKING AUTHORITY — FUND CREATED — SUNSET PROVISION. —

1. As used in this section, the following terms mean:

(1) "Affiliate", the Dolly Parton's imagination library affiliate created under this section;

(2) "Department", the department of elementary and secondary education;

(3) "Eligible child", any child under five years of age who resides in this state;

(4) "Program", the imagination library of Missouri program established in this section;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(5) "Reading selection", a high-quality, age-appropriate book provided to an eligible child under the program established in this section.

2. There is hereby established in the department's office of childhood the "Imagination Library of Missouri Program", which shall be a statewide program for encouraging preschool children to read by providing monthly reading selections to the homes of children from birth to five years of age.

3. The office of childhood shall establish a nonprofit entity to work in conjunction with school districts in mailing monthly reading selections directly to the homes of eligible children. The entity shall be known as the "Dolly Parton's Imagination Library Affiliate" and shall be the statewide affiliate that works in conjunction with Dolly Parton's Imagination Library and school districts to provide reading selections under this section.

4. Beginning in school year 2023-24 and continuing in each subsequent school year, each school district shall, in partnership with the affiliate, give one reading selection to each eligible child in the school district in each month, beginning as early as the child's birth month through the month in which the child reaches five years of age. Subject to appropriation, the costs of giving such reading selections to eligible children shall be reimbursed to each school district from the imagination library of Missouri fund created in this section.

5. The department shall promulgate rules to:

(1) Manage the daily operations of the program;

(2) Coordinate with organizations and public schools of this state to advance and strengthen the program and promote enrollment growth;

(3) Develop, promote, and coordinate a public awareness program to make donors aware of the opportunity to donate to the imagination library of Missouri fund;

(4) Develop, promote, and coordinate a public awareness program to make the public aware of the opportunity to register children to receive age-appropriate books on a monthly basis; and

(5) Allow the department to implement and administer the provisions of this section.

6. (1) There is hereby created in the state treasury the "Imagination Library of Missouri Program Fund", which shall consist of any gifts, bequests, grants, public or private donations, transfers, or moneys appropriated under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be used solely as provided in this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

7. The general assembly shall appropriate at least two and a half million dollars annually to the imagination library of Missouri program fund. In the department's budget requests for school year 2023-24 and all subsequent school years, the department shall include a plan to distribute sufficient moneys to school districts to allow each school district to give reading selections to all eligible children within the school district under this section.

8. To comply with this section, a school district may, in coordination with the department's office of childhood, enter into an agreement, partnership, or similar arrangement with an adjacent school district. If the school district finds that no adjacent school district gives reading selections to eligible children as provided in this section, the school district may request the department's office of childhood and the affiliate to assist the school district in complying with this section.

9. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first four years after the effective date of this section unless reauthorized by an act of the general assembly; and

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

186.080. COUNCIL ESTABLISHED — MEMBERS, MEETINGS, DUTIES, RECOMMENDATIONS.

— 1. The commissioner of education shall establish a literacy advisory council. The council shall consist of no more than twenty members, appointed by the commissioner, and shall include members representing the following stakeholder groups:

- (1) School boards;
- (2) Charter schools;
- (3) School superintendents;
- (4) Elementary and secondary building principals;
- (5) At least three teachers, including at least two teachers with expertise in reading instruction;
- (6) At least two special education educators;
- (7) At least two parents of elementary and secondary school-age pupils who have struggled with literacy proficiency;
- (8) At least two community members who have struggled with literacy proficiency or supported others who have struggled with literacy proficiency, at least one of whom shall be a high school student;
- (9) One member from dyslexia advocacy group;
- (10) Faculty members of institutions of higher education with approved teacher preparation programs;
- (11) Professionals with expertise in reading instruction, reading interventions, and how students learn to read including one certified academic language therapist; and
- (12) Professionals with expertise in educational assessment data analysis.

2. The council shall meet at least twice per year to review best practices in literacy instruction and related policy provisions. The department shall provide necessary staff and resources for the work of the advisory council.

3. The council shall periodically provide recommendations to the commissioner and the state board of education regarding any identified improvements to literacy instruction and policy for students. The recommendations may include recommendations for changes to state law, and the commissioner shall furnish any such recommendations to the joint committee on education.

4. The council recommendations shall:

- (1) Advise the department of elementary and secondary education on how to implement and maintain the statewide literacy plan required under section 161.241 and advise the department, school districts, and charter schools on ways to inform and engage parents and other community members about the literacy plan;
- (2) Provide advice as to what services the department should provide to school districts and charter schools to support implementation of the plan and on staffing levels and resources needed at the department to support the statewide effort to improve literacy;
- (3) Provide advice regarding the statewide plan for collecting literacy-related data that informs:
 - (a) Literacy instructional practices;
 - (b) Teacher professional development in the field of literacy;
 - (c) What proficiencies and skills should be measured through literacy assessments and how those assessments are incorporated into local assessment plans; and
 - (d) How to identify school progress in achieving literacy outcomes, including closing literacy gaps for students from historically underserved populations;

(4) Recommend best practices for tiered literacy instruction within a multi-tiered system of supports to best improve and sustain literacy proficiency;

(5) Review literacy assessments and outcomes and provide ongoing advice as to how to continuously improve those outcomes and sustain improvement; and

(6) Provide a means for members of the public to provide input and ask questions concerning literacy issues.

302.010. DEFINITIONS. — Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) "Circuit court", each circuit court in the state;

(2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term "conviction" means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) "Criminal history check", a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including, but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled substances, or drugs;

(5) "Director", the director of revenue acting directly or through the director's authorized officers and agents;

(6) "Farm tractor", every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(7) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(8) "Incompetent to drive a motor vehicle", a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator's license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(9) "License", a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180 and electric bicycles, as defined in section 301.010;

(11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles or electric bicycles as such terms are defined in section 301.010;

(12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, but excluding an electric bicycle as defined in section 301.010;

(13) "Moving violation", that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

(14) "Municipal court", every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(15) "Nonresident", every person who is not a resident of this state;

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Matter underscored is proposed language.

(16) "Operator", every person who is in actual physical control of a motor vehicle upon a highway;

(17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(18) "Record" includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(19) "Residence address", "residence", or "resident address" shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person's true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(20) "Restricted driving privilege", a sixty-day driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver's business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider, or a ninety-day interlock restricted privilege issued by the director of revenue for the limited purpose of driving in connection with the driver's business, occupation, employment, seeking medical treatment for such driver or a dependent family member, attending school or other institution of higher education, attending alcohol- or drug-treatment programs, seeking the required services of a certified ignition interlock provider, fulfilling court obligations, including required appearances and probation and parole obligations, religious services, the care of a child or children, including scheduled visitation or custodial obligations pursuant to a court order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;

(21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, that is designed for carrying more than ten passengers and that is used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(22) "School bus operator", an operator who operates a school bus as defined in subdivision (21) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term "school bus operator" shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(23) "Signature", any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver's license or related document;

(24) "Substance abuse traffic offender program", a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion

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of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.

304.060. SCHOOL BUSES AND OTHER DISTRICT VEHICLES, USE TO BE REGULATED BY BOARD — FIELD TRIPS IN COMMON CARRIERS, REGULATION AUTHORIZED — VIOLATION BY EMPLOYEE, EFFECT — DESIGN OF SCHOOL BUSES, REGULATED BY BOARD — ST. LOUIS COUNTY BUSES MAY USE WORD "SPECIAL". — 1. The state board of education shall adopt and enforce regulations not inconsistent with law to cover the design and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and such regulations shall by reference be made a part of any such contract with a school district. School districts shall have the authority to use motor vehicles other than school buses for the purpose of transporting school children. The state board of education may adopt rules and regulations governing the use of other vehicles owned by a district or operated under contract with any school district in this state and used for the purpose of transporting school children[. The operator of such vehicle shall be licensed in accordance with section 302.272, and such vehicle], excluding motor vehicles operating under the authority of the department of revenue under sections 387.400 to 387.440. Notwithstanding any other provisions of law, the state board of education shall not require an individual who uses a motor vehicle with a gross vehicle weight that is less than or equal to twelve thousand pounds for the purpose of providing student transportation services in a vehicle other than a school bus to obtain any license other than a class F license, as described in 12 CSR 10-24.200(6). Motor vehicles other than school buses used shall transport no more children than the manufacturer suggests as appropriate for such vehicle and meet any additional requirements of the school district. The state board of education may also adopt rules and regulations governing the use of authorized common carriers for the transportation of students on field trips or other special trips for educational purposes. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations. The state board of education shall cooperate with the state transportation department and the state highway patrol in placing suitable warning signs at intervals on the highways of the state.

2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri in an urban district containing the greater part of the population of a city which has more than three hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be for additional transportation services, and shall not replace or fulfill any of the school district's obligations pursuant to section 167.231. The school district may notify students of the option to use district-contracted transportation services.

3. Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with such regulations in any contract executed by him on behalf of a school district shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulations shall be guilty of breach of contract and such contract shall be cancelled after notice and hearing by the responsible officers of such school district.

4. Any other provision of the law to the contrary notwithstanding, in any county of the first class with a charter form of government adjoining a city not within a county, school buses may bear the word "special".

SECTION B. EMERGENCY CLAUSE. — Because immediate action is necessary to provide for the safety and education of school children, the enactment of sections 167.625 and 168.036 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 167.625 and 168.036 of this act shall be in full force and effect upon its passage and approval.

SECTION C. EFFECTIVE DATE. — The repeal and reenactment of section 167.645 of this act shall become effective January 1, 2023.

Approved June 30, 2022

SS SCS SB 683

Enacts provisions relating to child care, with penalty provisions and an emergency clause for a certain section.

AN ACT to repeal sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.199, 210.201, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.252, 210.254, 210.255, 210.256, 210.258, 210.275, 210.278, 210.305, 210.565, 210.1007, and 210.1080, RSMo, and to enact in lieu thereof thirty-four new sections relating to child care, with penalty provisions and an emergency clause for a certain section.

SECTION

A Enacting clause.

- 208.044 Child day care services to be provided certain persons — eligible providers.
- 208.046 Child care assistance, income eligibility criteria, vouchers or direct reimbursement, when.
- 208.053 Low-wage trap elimination act — hand-up pilot program, transitional child care subsidies (Jackson, Clay and Greene counties) — report — rulemaking — sunset provision.
- 210.027 Direct payment recipients, child care providers — department's duties.
- 210.102 Coordinating board for early childhood established, members, powers — fund created.
- 210.127 Diligent search for biological parents required, when.
- 210.199 Licensure through the department of health and senior services required for receipt of certain education funds.
- 210.201 Definitions.
- 210.203 Complaints against child care facilities, open records to be kept by department.
- 210.211 License required — exceptions — written notice of licensure status, when — exemptions from maximum children.
- 210.221 Licenses to be issued by department of health and senior services — duty to fix standards and make investigations — rule variance granted when, procedure — sanctioning of licenses, when — denial of application, when.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 210.223 Safe sleep policy to be maintained, purpose — alternatives, written instructions required — definitions — training — rulemaking authority.
- 210.231 Department of health and senior services may delegate powers.
- 210.241 Judicial review.
- 210.245 Violations, penalties — prosecutor may file suit to oversee or prevent operation of day care center — attorney general may seek injunction, when — unlicensed facilities, civil penalty — fund established, use of moneys.
- 210.251 State and federal funds to be made available to centers to upgrade standards — at-risk children program, limitation on requirements.
- 210.252 Fire, safety, health and sanitation inspections, procedure — variances to rules granted when — rules authorized.
- 210.254 Religious organization operating facilities exempt under licensing laws required to file parental notice of responsibility and fire, safety inspections annually.
- 210.255 Religious organizations operating facility in violation, procedure — noncompliance after notice, prosecutor may act or attorney general.
- 210.256 Violations, penalties — injunction, procedure.
- 210.258 Religious organizations operating facility, no interference permitted with curriculum, personnel or selection of children — discipline policies, explanation required for parent.
- 210.275 Child care provided on elementary and secondary school property must comply with child-care licensure provisions.
- 210.278 Exempt from licensure, when.
- 210.305 Grandparent placement preferred in emergency placements — definitions — diligent efforts required, when.
- 210.565 Relatives of child shall be given foster home placement, when — definitions — order of preference — specific findings required, when — sibling placement — age of relative not a factor, when — federal requirements to be followed for placement of Native American children — waiver of certain standards, when — GAL to ascertain child's wishes, when.
- 210.1007 List of children's products to be furnished to all child-care facilities by department — disposal of unsafe products — inspections by department — rulemaking authority.
- 210.1080 Background checks required — definitions — procedure — ineligible for employment, when — exemption, when — emergency rules — inapplicability, when.
- 217.940 Nursery program to be established, purpose — definitions.
- 217.941 Eligibility, placement, and program capacity.
- 217.942 Written agreement, contents — program policy required.
- 217.943 Termination of participation, when.
- 217.944 Child support payments, collected and deposited — monetary donations to program permitted.
- 217.945 Correctional center nursery program fund created, use of moneys.
- 217.946 Regulation and oversight by other agencies subject to department consent.
- 217.947 Sovereign immunity in effect — program not a waiver, not considered a dangerous condition.
- B Emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.199, 210.201, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.252, 210.254, 210.255, 210.256, 210.258, 210.275, 210.278, 210.305, 210.565, 210.1007, and 210.1080, RSMo, are repealed and thirty-four new sections enacted in lieu thereof, to be known as

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sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.201, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.252, 210.254, 210.255, 210.256, 210.258, 210.275, 210.278, 210.305, 210.565, 210.1007, 210.1080, 217.940, 217.941, 217.942, 217.943, 217.944, 217.945, 217.946, and 217.947, to read as follows:

208.044. CHILD DAY CARE SERVICES TO BE PROVIDED CERTAIN PERSONS — ELIGIBLE PROVIDERS. — 1. The [children's division] department of elementary and secondary education shall provide child day care services to any person who meets the qualifications set forth at sections 301 and 302 of the Family Support Act of 1988 (P.L. 100-485).

2. The [division] department shall purchase the child day care services required by this section by making payments directly to any providers of day care services licensed pursuant to chapter 210 or to providers of day care services who are not required by chapter 210 to be licensed because they are providing care to no more than six children pursuant to section 210.211.

3. When a person who has been eligible and receiving day care services under this section becomes ineligible due to the end of the twelve-month period of transitional day care, as defined in section 208.400, such person may receive day care services from the [division] department if otherwise eligible for such services.

208.046. CHILD CARE ASSISTANCE, INCOME ELIGIBILITY CRITERIA, VOUCHERS OR DIRECT REIMBURSEMENT, WHEN. — 1. The [children's division] department of elementary and secondary education shall promulgate rules [to become effective no later than July 1, 2011,] to modify the income eligibility criteria for any person receiving state-funded child care assistance [under this chapter], either through vouchers or direct reimbursement to child care providers, as follows:

(1) Child care recipients eligible under this chapter and the criteria set forth in [13 CSR 35-32.010] 5 CSR 25-200 may pay a fee based on adjusted gross income and family size unit based on a child care sliding fee scale established by the [children's division] department of elementary and secondary education, which shall be subject to appropriations. However, a person receiving state-funded child care assistance under this chapter and whose income surpasses the annual appropriation level may continue to receive reduced subsidy benefits on a scale established by the [children's division] department, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the [children's division] department and shall be no longer eligible for child care subsidy benefits;

(2) The sliding scale fee may be waived for children with special needs as established by the [division] department; and

(3) The maximum payment by the [division] department shall be the applicable rate minus the applicable fee.

2. For purposes of this section, "annual appropriation level" shall mean the maximum income level to be eligible for a full child care benefit as determined through the annual appropriations process.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

208.053. LOW-WAGE TRAP ELIMINATION ACT — HAND-UP PILOT PROGRAM, TRANSITIONAL CHILD CARE SUBSIDIES (JACKSON, CLAY AND GREENE COUNTIES) — REPORT — RULEMAKING — SUNSET PROVISION. — 1. The provisions of this section shall be known as the

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"Low-Wage Trap Elimination Act". In order to more effectively transition persons receiving state-funded child care subsidy benefits under this chapter, the [children's division] department of elementary and secondary education, in conjunction with the department of revenue, shall, subject to appropriations, by July 1, 2022, implement a pilot program in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, and a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, to be called the "Hand-Up Program", to allow applicants in the program to receive transitional child care benefits without the requirement that such applicants first be eligible for full child care benefits.

(1) For purposes of this section, "full child care benefits" shall be the full benefits awarded to a recipient based on the income eligibility amount established by the [division] department through the annual appropriations process as of August 28, 2021, to qualify for the benefits and shall not include the transitional child care benefits that are awarded to recipients whose income surpasses the eligibility level for full benefits to continue. The hand-up program shall be voluntary and shall be designed such that an applicant may begin receiving the transitional child care benefit without having first qualified for the full child care benefit or any other tier of the transitional child care benefit. Under no circumstances shall any applicant be eligible for the hand-up program if the applicant's income does not fall within the transitional child care benefit income limits established through the annual appropriations process.

(2) A participating recipient shall be allowed to opt out of the program at any time, but such person shall not be allowed to participate in the program a second time.

2. The [division] department shall track the number of participants in the hand-up program and shall issue an annual report to the general assembly by September 1, 2023, and annually on September first thereafter, detailing the effectiveness of the pilot program in encouraging recipients to secure employment earning an income greater than the maximum wage eligible for the full child care benefit. The report shall also detail the costs of administration and the increased amount of state income tax paid as a result of the program, as well as an analysis of whether the pilot program could be expanded to include other types of benefits, including, but not limited to, food stamps, temporary assistance for needy families, low-income heating assistance, women, infants and children supplemental nutrition program, the state children's health insurance program, and MO HealthNet benefits.

3. The [division] department shall pursue all necessary waivers from the federal government to implement the hand-up program. If the [division] department is unable to obtain such waivers, the [division] department shall implement the program to the degree possible without such waivers.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically three years after August 28, 2021, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

210.027. DIRECT PAYMENT RECIPIENTS, CHILD CARE PROVIDERS — DEPARTMENT'S DUTIES. — [1.] For child-care providers who receive state or federal funds for providing child-care services, either by direct payment or through reimbursement to a child-care beneficiary, the department of [social services] elementary and secondary education shall:

- (1) Establish publicly available website access to provider-specific information about any health and safety licensing or regulatory requirements for the providers, and including dates of inspections, history of violations, and compliance actions taken, as well as the consumer education information required under subdivision (12) of this section;
- (2) Establish or designate one hotline for parents to submit complaints about child care providers;
- (3) Be authorized to revoke the registration of a registered provider for due cause;
- (4) Require providers to be at least eighteen years of age;
- (5) Establish minimum requirements for building and physical premises to include:
 - (a) Compliance with state and local fire, health, and building codes, which shall include the ability to evacuate children in the case of an emergency; and
 - (b) Emergency preparedness and response planning.

Child care providers shall meet these minimum requirements prior to receiving federal assistance. Where there are no local ordinances or regulations regarding smoke detectors, the department shall require providers, by rule, to install and maintain an adequate number of smoke detectors in the residence or other building where child care is provided;

- (6) Require providers to be tested for tuberculosis on the schedule required for employees in licensed facilities;
- (7) Require providers to notify parents if the provider does not have immediate access to a telephone;
- (8) Make providers aware of local opportunities for training in first aid and child care;
- (9) Promulgate rules and regulations to define preservice training requirements for child care providers and employees pursuant to applicable federal laws and regulations;
- (10) Establish procedures for conducting unscheduled on-site monitoring of child care providers prior to receiving state or federal funds for providing child care services either by direct payment or through reimbursement to a child care beneficiary, and annually thereafter;
- (11) Require child care providers who receive assistance under applicable federal laws and regulations to report to the department any serious injuries or death of children occurring in child care; and
- (12) With input from statewide stakeholders such as parents, child care providers or administrators, and system advocate groups, establish a transparent system of quality indicators appropriate to the provider setting that shall provide parents with a way to differentiate between child care providers available in their communities as required by federal rules. The system shall describe the standards used to assess the quality of child care providers. The system shall indicate whether the provider meets Missouri's registration or licensing standards, is in compliance with applicable health and safety requirements, and the nature of any violations related to registration or licensing requirements. The system shall also indicate if the provider utilizes curricula and if the provider is in compliance with staff educational requirements. Such system of quality indicators established under this subdivision with the input from stakeholders shall be promulgated by rules. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void. This subdivision shall not be

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construed as authorizing the operation, establishment, maintenance, or mandating or offering of incentives to participate in a quality rating system under section [161.216] 161.217.

[2. No state agency shall enforce the provisions of this section until October 1, 2015, or six months after the implementation of federal regulations mandating such provisions, whichever is later.]

210.102. COORDINATING BOARD FOR EARLY CHILDHOOD ESTABLISHED, MEMBERS, POWERS — FUND CREATED. — 1. There is hereby established within the department of [social services] elementary and secondary education the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include, but not be limited to, the following members:

- (1) A representative from the governor's office;
- (2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;
- (3) A representative of the judiciary;
- (4) A representative of the family and community trust board (FACT);
- (5) A representative from the head start program; and
- (6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders.

The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

2. The coordinating board for early childhood shall have the power to:

- (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;
- (2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;
- (3) Identify legislative recommendations to improve services for children from birth through age five;
- (4) Promote coordination of existing services and programs across public and private entities;
- (5) Promote research-based approaches to services and ongoing program evaluation;
- (6) Identify service gaps and advise public and private entities on methods to close such gaps;
- (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsection 1 of this section and this subsection, and take any and all actions necessary to avail itself of such aid and cooperation;
- (8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;
- (9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;

(10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;

(11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;

(12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;

(13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;

(14) Adopt and use an official seal;

(15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

(16) Make all expenditures which are incident and necessary to carry out its purposes;

(17) Sue and be sued in its official name;

(18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

3. There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

(1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 1 and 2 of this section;

(2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;

(3) Any moneys received as fees authorized under subsections 1 and 2 of this section;

(4) Any moneys received as interest on deposits or as income on approved investments of the fund;

(5) Any moneys obtained from any other available source.

Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

210.127. DILIGENT SEARCH FOR BIOLOGICAL PARENTS REQUIRED, WHEN. — 1. (1) If the location or identity of the biological parent or parents of a child in the custody of the division is unknown, the children's division shall [utilize all reasonable and effective means available to] conduct [a] an active, thorough, and timely diligent search for the biological parent or parents of such child, including obtaining information from any known parent or relative.

(2) If a child is removed from a home and is placed in the custody of the division, the division shall, immediately following the removal from the home, conduct an active, thorough, and timely diligent search for the biological parent or parents, including obtaining information from any known parent or relative.

2. For purposes of this section, "diligent search" means [the efforts of the division, or an entity under contract with the division, to] an exhaustive effort to identify and locate a biological parent whose identity or location is unknown, initiated as soon as the division is made aware of the existence of such parent, with the search progress reported at each court hearing until the parent is either identified and located or the court excuses further search.

210.201. DEFINITIONS. — As used in sections 210.201 to 210.257, the following terms mean:

(1) "Child", an individual who is under the age of seventeen;

(2) "Child care", care of a child away from his or her home for any part of the twenty-four-hour day for compensation or otherwise. Child care is a voluntary supplement to parental responsibility for the child's protection, development, and supervision;

(3) "Child-care facility" or "child care facility", a house or other place conducted or maintained by any person who advertises or holds himself or herself out as providing child care for any part of the twenty-four-hour day for compensation or otherwise if providing child care to more than:

(a) Six children; or

(b) Three children under two years of age;

(4) "Child care provider" or "provider", the person or persons licensed or required to be licensed under section 210.221 to establish, conduct, or maintain a child care facility;

(5) "Day camp", a program operated by a person or organization between the hours of 6:00 a.m. and 7:00 p.m., when a local school system is not in session requiring actual pupil attendance, and with the primary function of providing a recreational program for children five years of age or older who are enrolled in kindergarten or any grade above kindergarten, but providing no child care for children under five years of age who are not yet enrolled in kindergarten in the same space or in the same outdoor play area simultaneously;

(6) "Montessori school", a child care program that is either accredited by, actively seeking accreditation by, or maintains an active school membership with the American Montessori Society, the Association Montessori Internationale, the International Montessori Counsel, or the Montessori Educational Programs International;

~~[(6)]~~ (7) "Neighborhood youth development program", as described in section 210.278;

~~[(7)]~~ (8) "Nursery school", a program operated by a person or an organization with the primary function of providing an educational program for preschool-age children for no more than four hours per day per child;

~~[(8)]~~ (9) "Person", any individual, firm, corporation, partnership, association, agency, or an incorporated or unincorporated organization regardless of the name used;

~~[(9)]~~ (10) "Religious organization", a church, synagogue or mosque; an entity that has or would qualify for federal tax-exempt status as a nonprofit religious organization under Section 501(c) of the Internal Revenue Code; or an entity whose real estate on which the child-care facility is located is exempt from taxation because it is used for religious purposes;

~~[(10)]~~ (11) "School system", a program established primarily for education and that meets the following criteria:

(a) Provides education in at least the first to the sixth grade; and

(b) Provides evidence that the school system's records will be accepted by a public or private school for the transfer of any student;

~~[(11)]~~ (12) "Summer camp", a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children five years of age or older and providing no child care for children under five years of age in the same [building] space or in the same outdoor play area simultaneously.

210.203. COMPLAINTS AGAINST CHILD CARE FACILITIES, OPEN RECORDS TO BE KEPT BY DEPARTMENT. — The department of [health and senior services] elementary and secondary education shall maintain a record of substantiated, signed parental complaints against child care facilities licensed pursuant to this chapter, and shall make such complaints and findings available to the public upon request.

210.211. LICENSE REQUIRED — EXCEPTIONS — WRITTEN NOTICE OF LICENSURE STATUS, WHEN — EXEMPTIONS FROM MAXIMUM CHILDREN. — 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of [health and senior services] elementary and secondary education; except that nothing in sections 210.203 to 210.245 shall apply to:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(1) Any person who is caring for six or fewer children, including a maximum of three children under the age of two, at the same physical address. For purposes of this subdivision, children who live in the caregiver's home and who are eligible for enrollment in a public kindergarten, elementary, or high school shall not be considered in the total number of children being cared for;

(2) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(3) Any graded boarding school that is conducted in good faith primarily to provide education;

(4) Any summer or day camp that is conducted in good faith primarily to provide recreation;

(5) Any hospital, sanitarium, or home that is conducted in good faith primarily to provide medical treatment or nursing or convalescent care for children;

(6) Any residential facility or day program licensed by the department of mental health under sections 630.705 to 630.760 that provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, intellectual disability, or developmental disability, as those terms are defined in section 630.005;

(7) Any school system as defined in section 210.201;

(8) Any Montessori school as defined in section 210.201;

(9) Any business that operates a child care program for the convenience of its customers or its employees if the following conditions are met:

(a) The business provides child care for customers' or employees' children for no more than four hours per day; and

(b) Customers or employees remain on site while their children are being cared for by the business establishment;

(10) Any home school as defined in section 167.031;

(11) Any religious organization academic preschool or kindergarten for four- and five-year-old children;

(12) Any weekly Sunday or Sabbath school, a vacation bible school, or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization;

(13) Any neighborhood youth development program under section 210.278;

(14) Any religious organization elementary or secondary school;

(15) Any private organization elementary or secondary school system providing child care to children younger than school age. If a facility or program is exempt from licensure based upon this exception, such facility or program shall submit documentation annually to the department to verify its licensure-exempt status;

(16) Any nursery school as defined in section 210.201; and

(17) Any child care facility maintained or operated under the exclusive control of a religious organization. If a nonreligious organization having as its principal purpose the provision of child care services enters into an arrangement with a religious organization for the maintenance or operation of a child care facility, the facility is not under the exclusive control of the religious organization.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. Section 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (17) of subsection 1 of this section.

3. [Any] Every child care facility [not exempt from licensure] shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. No child care facility exempt from licensure shall represent to any parent or guardian of children for which the facility

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provides care that the facility is licensed when such facility is in fact not licensed. A parent or guardian utilizing an unlicensed child care facility shall sign a written notice indicating he or she is aware of the [licensure] unlicensed status of the facility. The facility shall keep a copy of this signed written notice on file. All child care facilities shall provide the parent or guardian enrolling a child in the facility with a written explanation of the disciplinary philosophy and policies of the child care facility.

4. Up to two children who are five years of age or older and who are related within the third degree of consanguinity or affinity to, adopted by, or under court appointed guardianship or legal custody of a child care provider who is responsible for the daily operation of a licensed family child care home that is organized as a corporation, association, firm, partnership, limited liability company, sole proprietorship, or any other type of business entity in this state shall not be included in the number of children counted toward the maximum number of children for which the family child care home is licensed under section 210.221. If more than one member of the corporation, association, firm, partnership, limited liability company, or other business entity is responsible for the daily operation of the licensed family child care home, then the related children of only one such member shall be excluded. A family child care home caring for children not counted in the maximum number of children, as permitted under this subsection, shall disclose this to parents or guardians on the written notice required under subsection 3 of this section. If a family child care home begins caring for children not counted in the maximum number of children after a parent or guardian has signed the written notice required under subsection 3 of this section, the family child care home shall provide a separate notice to the parent or guardian that the family child care home is caring for children not counted in the maximum number of children for which the family child care home is licensed and shall keep a copy of the signed notice on file.

5. Nothing in this section shall prevent the department from enforcing licensing regulations promulgated under this chapter, including, but not limited to, supervision requirements and capacity limitations based on the amount of child care space available.

210.221. LICENSES TO BE ISSUED BY DEPARTMENT OF HEALTH AND SENIOR SERVICES — DUTY TO FIX STANDARDS AND MAKE INVESTIGATIONS — RULE VARIANCE GRANTED WHEN, PROCEDURE — SANCTIONING OF LICENSES, WHEN — DENIAL OF APPLICATION, WHEN. — 1. The department of [health and senior services] elementary and secondary education shall have the following powers and duties:

(1) After inspection, to grant licenses to persons to operate child-care facilities if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of children. Each license shall specify the kind of child-care services the licensee is authorized to perform, the number of children that can be received or maintained, and their ages [and sex];

(2) To inspect the conditions of the homes and other places in which the applicant operates a child-care facility, inspect their books and records, premises and children being served, examine their officers and agents, deny, suspend, place on probation or revoke the license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the department of [health and senior services] elementary and secondary education. The [director] commissioner also may revoke or suspend a license when the licensee [fails to renew or] surrenders the license;

(3) To promulgate and issue rules and regulations the department deems necessary or proper in order to establish standards of service and care to be rendered by such licensees to children. No rule or regulation promulgated by the [division] department shall in any manner restrict or interfere with any religious instruction, philosophies or ministries provided by the facility and shall not apply to facilities operated by religious organizations which are not required to be licensed;

(4) To approve training concerning the safe sleep recommendations of the American Academy of Pediatrics in accordance with section 210.223; and

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Matter underscored is proposed language.

(5) To determine what records shall be kept by such persons and the form thereof, and the methods to be used in keeping such records, and to require reports to be made to the department at regular intervals.

2. Any child-care facility may request a variance from a rule or regulation promulgated pursuant to this section. The request for a variance shall be made in writing to the department of [health and senior services] elementary and secondary education and shall include the reasons the facility is requesting the variance. The department shall approve any variance request that does not endanger the health or safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a variance application shall be with the department of [health and senior services] elementary and secondary education. Local inspectors may grant a variance, subject to approval by the department of [health and senior services] elementary and secondary education.

3. The department shall deny, suspend, place on probation or revoke a license if it receives official written notice that the local governing body has found that license is prohibited by any local law related to the health and safety of children. The department may deny an application for a license if the department determines that a home or other place in which an applicant would operate a child-care facility is located within one thousand feet of any location where a person required to register under sections 589.400 to 589.425 either resides, as that term is defined in subsection 3 of section 566.147, or regularly receives treatment or services, excluding any treatment or services delivered in a hospital, as that term is defined in section 197.020, or in facilities owned or operated by a hospital system. The department may, after inspection, find the licensure, denial of licensure, suspension or revocation to be in the best interest of the state.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 210.201 to 210.245 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

210.223. SAFE SLEEP POLICY TO BE MAINTAINED, PURPOSE — ALTERNATIVES, WRITTEN INSTRUCTIONS REQUIRED — DEFINITIONS — TRAINING — RULEMAKING AUTHORITY. — 1.

All licensed child care facilities that provide care for children less than one year of age shall implement and maintain a written safe sleep policy in accordance with the most recent safe sleep recommendations of the American Academy of Pediatrics. The purpose of the safe sleep policy is to maintain a safe sleep environment that reduces the risk of sudden infant death syndrome and sudden unexpected infant deaths in children less than one year of age.

2. When, in the opinion of the infant's licensed health care provider, an infant requires alternative sleep positions or special sleeping arrangements that differ from those set forth in the most recent sleep recommendations of the American Academy of Pediatrics, the child care facility shall be provided with written instructions, signed by the infant's licensed health care provider, detailing the alternative sleep positions or special sleeping arrangements for such infant. The child care facility shall put the infant to sleep in accordance with such written instructions.

3. As used in this section, the following terms shall mean:

(1) "Sudden infant death syndrome", the sudden death of an infant less than one year of age that cannot be explained after a thorough investigation has been conducted, including a complete autopsy, an examination of the death scene, and a review of the clinical history;

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(2) "Sudden unexpected infant death", the sudden and unexpected death of an infant less than one year of age in which the manner and cause of death are not immediately obvious prior to investigation. Causes of sudden unexpected infant death include, but are not limited to, metabolic disorders, hypothermia or hyperthermia, neglect or homicide, poisoning, and accidental suffocation.

4. All employees of licensed child care facilities who care for infants less than one year of age or any volunteer who may be assisting at the facility shall successfully complete department-approved training on the most recent safe sleep recommendations of the American Academy of Pediatrics every three years.

5. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Such rules shall include, but not be limited to:

(1) Amending any current rules which are not in compliance with the most recent safe sleep recommendations of the American Academy of Pediatrics[, including but not limited to 19 CSR 30.62-092(1)C which permits the use of bumper pads in cribs or playpens];

(2) Keeping soft or loose bedding away from sleeping infants and out of safe sleep environments, including, but not limited to, bumper pads, pillows, quilts, comforters, sleep positioning devices, sheepskins, blankets, flat sheets, cloth diapers, bibs, and other similar items; and

(3) Prohibiting blankets or other soft or loose bedding from being hung on the sides of cribs.

6. The department of elementary and secondary education may adopt emergency rules to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

210.231. DEPARTMENT OF HEALTH AND SENIOR SERVICES MAY DELEGATE POWERS. —

The department of [health and senior services] elementary and secondary education may designate to act for it, with full authority of law, any instrumentality of any political subdivision of the state of Missouri deemed by the department of [health and senior services] elementary and secondary education to be competent, to investigate and inspect licensees and applicants for a license. Local inspection of child care facilities may be accomplished if the standards employed by local personnel are substantially equivalent to state standards and local personnel are available for enforcement of such standards.

210.241. JUDICIAL REVIEW. — Any person aggrieved by a final decision of the department of [health and senior services] elementary and secondary education made in the administration of sections 210.201 to 210.245 shall be entitled to judicial review thereof as provided in chapter 536.

210.245. VIOLATIONS, PENALTIES — PROSECUTOR MAY FILE SUIT TO OVERSEE OR PREVENT OPERATION OF DAY CARE CENTER — ATTORNEY GENERAL MAY SEEK INJUNCTION, WHEN — UNLICENSED FACILITIES, CIVIL PENALTY — FUND ESTABLISHED, USE OF MONEYS.

— 1. Any person who violates any provision of sections 210.201 to 210.245, or who for such person or for any other person makes materially false statements in order to obtain a license or the renewal thereof pursuant to sections 210.201 to 210.245, shall be guilty of a class C misdemeanor for the first offense and shall be assessed a fine not to exceed seven hundred fifty dollars and shall be guilty of a class A misdemeanor and shall be assessed a fine of up to two thousand dollars per day, not to exceed a total of ten thousand dollars for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. If the department of [health and senior services] elementary and secondary education proposes to deny, suspend, place on probation or revoke a license, the department of [health and senior services] elementary and secondary education shall serve upon the applicant or licensee written notice of the proposed action to be taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date the action will become effective, and a statement that the applicant or licensee shall have thirty days to request in writing a hearing before the administrative hearing commission and that such request shall be made to the department of [health and senior services] elementary and secondary education. If no written request for a hearing is received by the department of [health and senior services] elementary and secondary education within thirty days of the delivery or mailing by certified mail of the notice to the applicant or licensee, the proposed discipline shall take effect on the thirty-first day after such delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written request for a hearing, the department of [health and senior services] elementary and secondary education shall file a complaint with the administrative hearing commission within ninety days of receipt of the request for a hearing.

3. The department of [health and senior services] elementary and secondary education may issue letters of censure or warning without formal notice or hearing. Additionally, the department of [health and senior services] elementary and secondary education may place a licensee on probation pursuant to chapter 621.

4. The department of [health and senior services] elementary and secondary education may suspend any license simultaneously with the notice of the proposed action to be taken in subsection 2 of this section, if the department of [health and senior services] elementary and secondary education finds that there is a threat of imminent bodily harm to the children in care. The notice of suspension shall include the basis of the suspension and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision to suspend the license to the department of [health and senior services] elementary and secondary education. The appeal shall be filed within ten days from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted by the department of [health and senior services] elementary and secondary education within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department of [health and senior services] elementary and secondary education, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission. Any person aggrieved by a final decision of the department made pursuant to this section shall be entitled to judicial review in accordance with chapter 536.

5. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of sections 210.201 to 210.245. The order shall remain in force until such a time as the court determines that the child-care facility is in substantial compliance. If the prosecuting attorney refuses to act or fails to act after receipt of notice from the department of [health and senior services] elementary and secondary education, the department of [health and senior services] elementary and secondary education may request that the attorney general seek an injunction of the operation of such child-care facility.

6. In cases of imminent bodily harm to children in the care of a child-care facility, including an unlicensed, nonexempt facility, the department may file suit in the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility. Failure by the department to file suit under the provisions of this subsection shall not be construed as creating any liability in tort or incurring other obligations or duties except as otherwise specified.

7. Any person who operates an unlicensed, nonexempt child-care facility in violation of the provisions of sections 210.201 to 210.245 shall be liable for a civil penalty of not less than seven hundred

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fifty dollars and not more than two thousand dollars. The department shall serve upon such person written notice of the department's findings as to the child-care facility's unlicensed, nonexempt status, along with educational materials about Missouri's child-care facility laws and regulations, how a facility may become exempt or licensed, and penalties for operating an unlicensed, nonexempt child-care facility. The notice shall contain a statement that the person shall have thirty days to become compliant with sections 210.245, including attaining exempt status or becoming licensed. The person's failure to do so shall result in a civil action in the circuit court of Cole County or criminal charges under this section. If, following the receipt of the written notice, the person operating the child-care facility fails to become compliant with sections 210.245, the department may bring a civil action in the circuit court of Cole County against such person. The department may, but shall not be required to, request that the attorney general bring the action in place of the department. No civil action provided by this subsection shall be brought if the criminal penalties under subsection 1 of this section have been previously ordered against the person for the same violation. Failure by the department to file suit under the provisions of this subsection shall not be construed as creating any liability in tort or incurring other obligations or duties except as otherwise specified.

8. There shall be established the "Family Child Care Provider Fund" in the state treasury, which shall consist of such funds as appropriated by the general assembly. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely by the department for the dissemination of information concerning compliance with child-care facility laws and regulations, including licensed or exempt status; educational initiatives relating to, inter alia, child care, safe sleep practices, and child nutrition; and the provision of financial assistance on the basis of need for family child-care homes to become licensed, as determined by the department and subject to available moneys in the fund. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

210.251. STATE AND FEDERAL FUNDS TO BE MADE AVAILABLE TO CENTERS TO UPGRADE STANDARDS — AT-RISK CHILDREN PROGRAM, LIMITATION ON REQUIREMENTS. — 1. [By January 1, 1994,] Financial incentives shall be provided by the department of [health and senior services] elementary and secondary education through the child development block grant and other public moneys for child-care facilities wishing to upgrade their standard of care and which meet quality standards.

2. The department of health and senior services shall make federal funds available to licensed or inspected child-care centers pursuant to federal law as set forth in the Child and Adult Care Food Program, 42 U.S.C. Section 1766.

3. Notwithstanding any other provision of law to the contrary, in the administration of the program for at-risk children through the Child and Adult Care Food Program, 42 U.S.C. Section 1766, this state shall not have requirements that are stricter than federal regulations for participants in such program. Child care facilities shall not be required to be licensed child care providers to participate in such federal program so long as minimum health and safety standards are met and documented.

210.252. FIRE, SAFETY, HEALTH AND SANITATION INSPECTIONS, PROCEDURE — VARIANCES TO RULES GRANTED WHEN — RULES AUTHORIZED. — 1. All buildings and premises used by a child-care facility to care for more than six children except those exempted from the licensing provisions of the department of [health and senior services] elementary and secondary education pursuant to subdivisions (1) to (15) of subsection 1 of section 210.211, shall be inspected annually for fire and safety by the state fire marshal, the marshal's designee or officials of a local fire district and for

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Matter underscored is proposed language.

health and sanitation by the department of elementary and secondary education or the department's designee, including officials of the department of health and senior services, or officials of the local health department. Evidence of compliance with the inspections required by this section shall be kept on file and available to parents of children enrolling in the child-care facility.

2. Local inspection of child-care facilities may be accomplished if the standards employed by local personnel are substantially equivalent to state standards and local personnel are available for enforcement of such standards.

3. Any child-care facility may request a variance from a rule or regulation promulgated pursuant to this section. The request for a variance shall be made in writing to the department of elementary and secondary education and shall include the reasons the facility is requesting the variance. The department shall approve any variance request that does not endanger the health or safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a variance application shall be with the department of elementary and secondary education. Local inspectors may grant a variance, subject to approval by the department of elementary and secondary education.

4. The department of elementary and secondary education shall administer the provisions of sections 210.252 to 210.256, with the cooperation of the state fire marshal, the department of [elementary and secondary education] health and senior services, local fire departments and local health agencies.

5. The department of elementary and secondary education shall promulgate rules and regulations to implement and administer the provisions of sections 210.252 to 210.256. Such rules and regulations shall provide for the protection of children in all child-care facilities whether or not such facility is subject to the licensing provisions of sections 210.201 to 210.245.

6. The department of health and senior services, after consultation with the department of elementary and secondary education, may promulgate rules and regulations to implement and administer the provisions of this section related to sanitation requirements. Such rules and regulations shall provide for the protection of children in all child-care facilities whether or not such facility is subject to the licensing provisions of sections 210.201 to 210.245.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 210.252 to 210.256 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

210.254. RELIGIOUS ORGANIZATION OPERATING FACILITIES EXEMPT UNDER LICENSING LAWS REQUIRED TO FILE PARENTAL NOTICE OF RESPONSIBILITY AND FIRE, SAFETY INSPECTIONS ANNUALLY. — 1. Child-care facilities operated by religious organizations pursuant to the exempt status recognized in subdivision (17) of subsection 1 of section 210.211 shall upon enrollment of any child provide the parent or guardian enrolling the child two copies of a notice of parental responsibility, one copy of which shall be retained in the files of the facility after the enrolling parent acknowledges, by signature, having read and accepted the information contained therein.

2. The notice of parental responsibility shall include the following:

(1) Notification that the child-care facility is exempt as a religious organization from state licensing and therefore not inspected or supervised by the department of [health and senior services] elementary and secondary education other than as provided herein and that the facility has been inspected by those

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

designated in section 210.252 and is complying with the fire, health and sanitation requirements of sections 210.252 to 210.257;

(2) The names, addresses and telephone numbers of agencies and authorities which inspect the facility for fire, health and safety and the date of the most recent inspection by each;

(3) The staff/child ratios for enrolled children under two years of age, for children ages two to four and for those five years of age and older as required by the department of [health and senior services] elementary and secondary education regulations in licensed facilities, the standard ratio of staff to number of children for each age level maintained in the exempt facility, and the total number of children to be enrolled by the facility;

(4) Notification that background checks have been conducted under the provisions of section 210.1080;

(5) The disciplinary philosophy and policies of the child-care facility; and

(6) The educational philosophy and policies of the child-care facility.

3. A copy of notice of parental responsibility, signed by the principal operating officer of the exempt child-care facility and the individual primarily responsible for the religious organization conducting the child-care facility and copies of the annual fire and safety inspections shall be filed annually during the month of August with the department of [health and senior services] elementary and secondary education.

210.255. RELIGIOUS ORGANIZATIONS OPERATING FACILITY IN VIOLATION, PROCEDURE — NONCOMPLIANCE AFTER NOTICE, PROSECUTOR MAY ACT OR ATTORNEY GENERAL. — 1. A parent or guardian of a child enrolled in a child care facility established, maintained or operated by a religious organization who has cause to believe that this section and section 210.254 are being violated may notify appropriate local law enforcement authorities.

2. If a child care facility maintained or operated under the exclusive control of a religious organization is suspected of violating any provision of sections 210.252 to 210.255, or if there is good cause to believe that the signatory made a materially false statement in the notice of parental responsibility required by sections 210.252 to 210.255, the department of [health and senior services] elementary and secondary education shall give twenty days' written notice to the facility concerning the nature of its suspected noncompliance. If compliance is not forthcoming within the twenty days, the department shall thereafter notify the prosecuting attorney of the county wherein the facility is located concerning the suspected noncompliance. If the prosecuting attorney refuses to act or fails to act within thirty days of receipt of notice from the department, the department of [health and senior services] elementary and secondary education may notify the attorney general concerning the suspected noncompliance and the attorney general may proceed under section [210.248] 27.060.

210.256. VIOLATIONS, PENALTIES — INJUNCTION, PROCEDURE. — 1. Any person who violates any provision of sections 210.252 to 210.255, or who for such person or for any other person makes a materially false statement in the notice of parental responsibility required by sections 210.254 and 210.255, shall be guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and shall be guilty of a class A misdemeanor for subsequent offenses. In case such guilty person is a corporation, association, institution, or society, the officers thereof who participate in such violation shall be subject to the same penalties.

2. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of section 210.252. The injunction shall remain in force until such time as the court determines that the child-care facility is in substantial compliance.

3. In cases of imminent bodily harm to children in the care of a child-care facility, the department of [health and senior services] elementary and secondary education may apply to the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility.

210.258. RELIGIOUS ORGANIZATIONS OPERATING FACILITY, NO INTERFERENCE PERMITTED WITH CURRICULUM, PERSONNEL OR SELECTION OF CHILDREN — DISCIPLINE POLICIES, EXPLANATION REQUIRED FOR PARENT. — The provisions of this section and section 210.259 apply to a child care facility maintained or operated under the exclusive control of a religious organization. Nothing in sections 210.252 to 210.257 shall be construed to authorize the department of [health and senior services] elementary and secondary education or any other governmental entity:

(1) To interfere with the program, curriculum, ministry, teaching or instruction offered in a child care facility;

(2) To interfere with the selection, certification, minimal formal educational degree requirements, supervision or terms of employment of a facility's personnel;

(3) To interfere with the selection of individuals sitting on any governing board of a child care facility;

(4) To interfere with the selection of children enrolled in a child care facility; or

(5) To prohibit the use of corporal punishment. However, the department of [health and senior services] elementary and secondary education may require the child care facility to provide the parent or guardian enrolling a child in the facility a written explanation of the disciplinary philosophy and policies of the child care facility.

Nothing in subdivisions (2) and (3) of this section shall be interpreted to relieve a child care facility of its duties and obligations under section 210.1080, or to interfere with the department's duties and obligations under said section.

210.275. CHILD CARE PROVIDED ON ELEMENTARY AND SECONDARY SCHOOL PROPERTY MUST COMPLY WITH CHILD-CARE LICENSURE PROVISIONS. — Any program licensed by the department of [health and senior services] elementary and secondary education pursuant to this chapter providing child care to school-age children that is located and operated on elementary or secondary school property shall comply with the child-care licensure provisions in this chapter; except that, for safety, health and fire purposes, all buildings and premises for any such programs shall be deemed to be in compliance with the child-care licensure provisions in this chapter.

210.278. EXEMPT FROM LICENSURE, WHEN. — Neighborhood youth development programs shall be exempt from the child care licensing provisions under this chapter so long as the program meets the following requirements:

(1) The program is affiliated and in good standing with a national congressionally chartered organization's standards under Title 36, Public Law 105-225;

(2) The program provides activities designed for recreational, educational, and character building purposes for children [six] five to [seventeen] eighteen years of age;

(3) The governing body of the program adopts standards for care that at a minimum include staff ratios, staff training, health and safety standards, and mechanisms for assessing and enforcing the program's compliance with the standards;

(4) The program does not collect compensation for its services except for one-time annual membership dues not to exceed fifty dollars per year or program service fees for special activities such as field trips or sports leagues, except for current exemptions as written in section 210.211;

(5) The program informs each parent that the operation of the program is not regulated by licensing requirements;

(6) The program provides a process to receive and resolve parental complaints; and

(7) The program conducts national criminal background checks for all employees and volunteers who work with children, as well as screening under the family care safety registry as provided in sections 210.900 to 210.936.

210.305. GRANDPARENT PLACEMENT PREFERRED IN EMERGENCY PLACEMENTS —

DEFINITIONS — DILIGENT EFFORTS REQUIRED, WHEN. — 1. When an initial emergency placement of a child is deemed necessary, the children's division shall immediately begin a diligent [efforts] search to locate, contact, and place the child with a grandparent or grandparents or a relative or relatives of the child, subject to subsection 3 of section 210.565 regarding preference of placement, except when the children's division determines that placement with a grandparent or grandparents or a relative or relatives is not in the best interest of the child and subject to the provisions of section 210.482 regarding background checks for emergency placements. If emergency placement of a child with [a grandparent] grandparents or relatives is deemed not to be in the best interest of the child, the children's division shall document in writing the reason [the grandparent has been denied emergency placement] for denial and shall have just cause to deny the emergency placement. The children's division shall continue the search for other relatives until the division locates the relatives of the child for placement or the court excuses further search. Prior to placement of the child in any emergency placement, the division shall assure that the child's physical needs are met.

2. For purposes of this section, the following terms shall mean:

(1) ["Diligent efforts", a good faith attempt documented in writing by the children's division, which exercises reasonable efforts and care to utilize all available services and resources related to meeting the ongoing health and safety needs of the child, to locate a grandparent or grandparents of the child after all of the child's physical needs have been attended to by the children's division;] "Diligent search", an exhaustive effort to identify and locate the grandparents or relatives whose identity or location is unknown;

(2) "Emergency placement", those limited instances when the children's division is placing for an initial placement a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.

3. A diligent [efforts] search shall be made to locate, contact, and notify the grandparent or grandparents of the child within three hours from the time the emergency placement is deemed necessary for the child. During such three-hour time period, the child may be placed in an emergency placement. If a grandparent or grandparents of the child cannot be located within the three-hour period, the child may be temporarily placed in emergency placement; except that, after the emergency placement is deemed necessary, the children's division shall continue [to make] a diligent [efforts] search to contact, locate, and place the child with a grandparent or grandparents, or [another relative] other relatives, with first consideration given to a grandparent for placement, subject to subsection 3 of section 210.565 regarding preference of placement.

4. A diligent search shall be made to locate, contact, and notify the relative or relatives of the child within thirty days from the time the emergency placement is deemed necessary for the child. The children's division shall continue the search for the relative or relatives until the division locates the relative or relatives of the child for placement or the court excuses further search. The children's division, or an entity under contract with the division, shall use all sources of information, including any known parent or relative, to attempt to locate an appropriate relative as placement.

5. Search progress under subsection 3 or 4 of this section shall be reported at each court hearing until the grandparents or relatives are either located or the court excuses further search.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

6. Nothing in this section shall be construed or interpreted to interfere with or ~~supersede~~ supersede laws related to parental rights or judicial authority.

210.565. RELATIVES OF CHILD SHALL BE GIVEN FOSTER HOME PLACEMENT, WHEN — DEFINITIONS — ORDER OF PREFERENCE — SPECIFIC FINDINGS REQUIRED, WHEN — SIBLING PLACEMENT — AGE OF RELATIVE NOT A FACTOR, WHEN — FEDERAL REQUIREMENTS TO BE FOLLOWED FOR PLACEMENT OF NATIVE AMERICAN CHILDREN — WAIVER OF CERTAIN STANDARDS, WHEN — GAL TO ASCERTAIN CHILD'S WISHES, WHEN. — 1. Whenever a child is placed in a foster home and the court has determined pursuant to subsection 4 of this section that foster home placement with relatives is not contrary to the best interest of the child, the children's division shall give foster home placement to relatives of the child. Notwithstanding any rule of the division to the contrary, the children's division shall ~~make diligent efforts to~~ complete a diligent search to locate and notify the grandparents, adult siblings, ~~and~~ parents of siblings of the child, and all other relatives and determine whether they wish to be considered for placement of the child. Grandparents who request consideration shall be given preference and first consideration for foster home placement of the child. If more than one grandparent requests consideration, the family support team shall make recommendations to the juvenile or family court about which grandparent should be considered for placement.

2. As used in this section, the following terms shall mean:

(1) "Adult sibling", any brother or sister of whole or half-blood who is at least eighteen years of age;

(2) "Relative", a grandparent or any other person related to another by blood or affinity or a person who is not so related to the child but has a close relationship with the child or the child's family. The status of a grandparent shall not be affected by the death or the dissolution of the marriage of a son or daughter;

(3) "Sibling", one of two or more individuals who have one or both parents in common through blood, marriage, or adoption, including siblings as defined by the child's tribal code or custom.

3. The following shall be the order of preference for placement of a child under this section:

(1) Grandparents;

(2) Adult siblings or parents of siblings;

(3) Relatives related by blood or affinity within the third degree;

(4) Other relatives; and

(5) Any foster parent who is currently licensed and capable of accepting placement of the child.

4. The preference for placement and first consideration for grandparents or preference for placement with other relatives created by this section shall only apply where the court finds that placement with such grandparents or other relatives is not contrary to the best interest of the child considering all circumstances. If the court finds that it is contrary to the best interest of a child to be placed with grandparents or other relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than grandparents or other relatives.

5. Recognizing the critical nature of sibling bonds for children, the children's division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being.

6. The age of the child's grandparent or other relative shall not be the only factor that the children's division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such grandparent or other relative.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

7. For any Native American child placed in protective custody, the children's division shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.

8. A grandparent or other relative may, on a case-by-case basis, have standards for licensure not related to safety waived for specific children in care that would otherwise impede licensing of the grandparent's or relative's home. In addition, any person receiving a preference may be licensed in an expedited manner if a child is placed under such person's care.

9. The guardian ad litem shall ascertain the child's wishes and feelings about his or her placement by conducting an interview or interviews with the child, if appropriate based on the child's age and maturity level, which shall be considered as a factor in placement decisions and recommendations, but shall not supersede the preference for relative placement created by this section or be contrary to the child's best interests.

210.1007. LIST OF CHILDREN'S PRODUCTS TO BE FURNISHED TO ALL CHILD-CARE FACILITIES BY DEPARTMENT — DISPOSAL OF UNSAFE PRODUCTS — INSPECTIONS BY DEPARTMENT — RULEMAKING AUTHORITY. — 1. The department of [health and senior services] elementary and secondary education shall[, on or before July 1, 2003, and] quarterly [thereafter,] provide all child-care facilities licensed pursuant to this chapter with a comprehensive list of children's products that have been identified by the Consumer Product Safety Commission as unsafe.

2. Upon notification, a child-care facility shall inspect its premises and immediately dispose of any unsafe children's products which are discovered. Such inspection shall be documented by signing and dating the department's notification form in a space designated by the department. Signed and dated notification forms shall be maintained in the facility's files for departmental inspection.

3. During regular inspections, the department shall document the facility's maintenance of past signed and dated notification forms. If the department discovers an unsafe children's product, the facility shall be instructed to immediately dispose of the product. If a facility fails to dispose of a product after being given notice that it is unsafe, it shall be considered a violation under the inspection.

4. The department may promulgate rules for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

210.1080. BACKGROUND CHECKS REQUIRED — DEFINITIONS — PROCEDURE — INELIGIBLE FOR EMPLOYMENT, WHEN — EXEMPTION, WHEN — EMERGENCY RULES — INAPPLICABILITY, WHEN. — 1. As used in this section, the following terms mean:

(1) "Child care provider", a person licensed, regulated, or registered to provide child care within the state of Missouri, including the member or members, manager or managers, shareholder or shareholders, director or directors, and officer or officers of any entity licensed, regulated, or registered to provide child care within the state of Missouri;

(2) "Child care staff member", a child care provider; persons employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; individuals residing in a [family child care] home where child care is provided who are [seventeen years of age or older before January 1, 2021, or] eighteen years of age or older [on or after January 1, 2021]; or individuals residing in a [family child care] home where child care is provided who are under [seventeen years of age before

January 1, 2021, or under] eighteen years of age [on or after January 1, 2021,] and have been certified as an adult for the commission of an offense;

(3) "Criminal background check":

(a) A Federal Bureau of Investigation fingerprint check;

(b) A search of the National Crime Information Center's National Sex Offender Registry; and

(c) A search of the following registries, repositories, or databases in Missouri, the state where the child care staff member resides, and each state where such staff member resided during the preceding five years:

a. The state criminal registry or repository, with the use of fingerprints being required in the state where the staff member resides and optional in other states;

b. The state sex offender registry or repository; and

c. The state-based child abuse and neglect registry and database;

(4) ["Designated department", the department to which criminal background check results are sent; the department of health and senior services for child care staff members or prospective child care staff members of licensed child care facilities; and the department of social services for child care staff members or prospective child care staff members of a license-exempt child care facility or an unlicensed child care facility registered with the department of social services under section 210.027] "Department", the department of elementary and secondary education;

(5) "Qualifying result" or "qualifying criminal background check", a finding that a child care staff member or prospective child care staff member is eligible for employment or presence in a child care setting described under this section.

2. (1) Prior to the employment or presence of a child care staff member in a licensed, license-exempt, or unlicensed registered child care facility, the child care provider shall request the results of a criminal background check for such child care staff member from the department [of health and senior services].

(2) [Prior to the employment or presence of a child care staff member in a license-exempt child care facility or an unlicensed child care facility registered with the department of social services, the child care provider shall request the results of a criminal background check for such child care staff member from the department of social services.

(3)] A prospective child care staff member may begin work for a child care provider after receiving the qualifying result of either a Federal Bureau of Investigation fingerprint check or a search of the Missouri criminal registry or repository with the use of fingerprints [has been received from the designated department]; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five years.

[(4)] (3) Any individual who meets the definition of child care provider but is not responsible for the oversight or direction of the child care facility and does not have independent access to the child care facility [is] shall not be required to request the results of a criminal background check under this section; however, such individual shall be accompanied by an individual with a qualifying criminal background check in order to be present at the child care facility during child care hours.

3. The costs of the criminal background check shall be the responsibility of the child care staff member, but may be paid or reimbursed by the child care provider at the provider's discretion. The fees charged for the criminal background check shall not exceed the actual cost of processing and administration.

4. Upon completion of the criminal background check, any child care staff member or prospective child care staff member shall be ineligible for employment or presence at a licensed or license-exempt child care facility or an unlicensed child care facility registered with the department [of social services] and shall be disqualified from receipt of state or federal funds for providing child care services either by

direct payment or through reimbursement to an individual who receives child care benefits if such person:

- (1) Refuses to consent to the criminal background check as required by this section;
- (2) Knowingly makes a materially false statement in connection with the criminal background check as required by this section;
- (3) Is registered, or is required to be registered, on a state sex offender registry or repository or the National Sex Offender Registry;
- (4) Is listed as a perpetrator of child abuse or neglect under sections 210.109 to 210.183 or any other finding of child abuse or neglect based on any other state's registry or database; or
- (5) Has pled guilty or nolo contendere to or been found guilty of:
 - (a) Any felony for an offense against the person as defined in chapter 565;
 - (b) Any other offense against the person involving the endangerment of a child as prescribed by law;
 - (c) Any misdemeanor or felony for a sexual offense as defined in chapter 566;
 - (d) Any misdemeanor or felony for an offense against the family as defined in chapter 568;
 - (e) Burglary in the first degree as defined in 569.160;
 - (f) Any misdemeanor or felony for robbery as defined in chapter 570;
 - (g) Any misdemeanor or felony for pornography or related offense as defined in chapter 573;
 - (h) Any felony for arson as defined in chapter 569;
 - (i) Any felony for armed criminal action as defined in section 571.015, unlawful use of a weapon as defined in section 571.030, unlawful possession of a firearm as defined in section 571.070, or the unlawful possession of an explosive as defined in section 571.072;
 - (j) Any felony for making a terrorist threat as defined in section 574.115, 574.120, or 574.125;
 - (k) A felony drug-related offense committed during the preceding five years; or
 - (l) Any similar offense in any federal, state, municipal, or other court of similar jurisdiction of which the [director of the designated] department has knowledge.

5. Household members [seventeen years of age or older before January 1, 2021, or] eighteen years of age or older [on or after January 1, 2021], or household members under [seventeen years of age before January 1, 2021, or under] eighteen years of age [on or after January 1, 2021,] who have been certified as an adult for the commission of an offense, shall be ineligible to maintain a presence at a [facility licensed as a family child care] home where child care is provided during child care hours if any one or more of the provisions of subsection 4 of this section apply to such members.

6. A child care provider may also be disqualified from receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits if such person, or any person [seventeen years of age or older before January 1, 2021, or] eighteen years of age or older [on or after January 1, 2021,] residing in the household in which child care is being provided, excluding child care provided in the child's home, has been refused licensure or has experienced licensure suspension or revocation under section 210.221 or 210.496.

7. A child care provider shall not be required to submit a request for a criminal background check under this section for a child care staff member if:

- (1) The staff member received a qualifying criminal background check within five years before the latest date on which such a submission may be made and while employed by or seeking employment by another child care provider within Missouri;
- (2) The [department of] departments of elementary and secondary education, health and senior services, or [the department] of social services provided to the first provider a qualifying criminal background check result, consistent with this section, for the staff member; and
- (3) The staff member is employed by a child care provider within Missouri or has been separated from employment from a child care provider within Missouri for a period of not more than one hundred eighty consecutive days.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

8. (1) The department [processing] shall process the request for a criminal background check for any prospective child care staff member or child care staff member [shall do so] as expeditiously as possible, but not to exceed forty-five days after the date on which the provider submitted the request.

(2) The department shall provide the results of the criminal background check to the child care provider in a statement that indicates whether the prospective child care staff member or child care staff member is eligible or ineligible for employment or presence at the child care facility or receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits. The department shall not reveal to the child care provider any disqualifying crime or other related information regarding the prospective child care staff member or child care staff member.

(3) If such prospective child care staff member or child care staff member is ineligible for employment or presence at the child care facility, the department shall, when providing the results of criminal background check, include information related to each disqualifying crime or other related information, in a report to such prospective child care staff member or child care staff member, along with information regarding the opportunity to appeal under subsection 9 of this section.

(4) If a prospective child care provider or child care provider has been denied state or federal funds by the department [of social services] for providing child care, he or she may appeal such denial to the department [of social services] pursuant to section 210.027.

9. (1) The prospective child care staff member or child care staff member may appeal a finding of ineligibility for employment or presence at a child care facility in writing to the department [that made the determination of ineligibility] to challenge the accuracy or completeness of the information contained in his or her criminal background check if his or her finding of ineligibility is based on one or more of the following offenses:

- (a) Murder, as described in 18 U.S.C. Section 1111;
- (b) Felony child abuse or neglect;
- (c) A felony crime against children, including child pornography;
- (d) Felony spousal abuse;
- (e) A felony crime involving rape or sexual assault;
- (f) Felony kidnapping;
- (g) Felony arson;
- (h) Felony physical assault or battery;

(i) A violent misdemeanor offense committed as an adult against a child, including the offense of child abuse, child endangerment, or sexual assault, or a misdemeanor offense involving child pornography; or

- (j) Any similar offense in any federal, state, municipal, or other court.

(2) If a finding of ineligibility is based on an offense not provided for in subdivision (1) of this subsection, the prospective child care staff member or child care staff member may appeal to challenge the accuracy or completeness of the information contained in his or her criminal background check or to offer information mitigating the results and explaining why an eligibility exception should be granted.

(3) The written appeal shall be filed with the department [that made the determination] within ten days from the mailing of the notice of ineligibility. [Such] The department shall attempt to verify the accuracy of the information challenged by the individual, including making an effort to locate any missing disposition information related to the disqualifying offense. After the department verifies the accuracy of the information challenged by the individual, the department shall [forward the appeal to the child care background screening review committee established in subdivision (4) of this subsection. The child care background screening review committee shall] make a final decision on the written appeal, and such decision shall be made in a timely manner. Such decision shall be considered a noncontested final agency decision by the department [that made the determination of ineligibility under

this section and], appealable under section 536.150. Such decision shall be appealed within thirty days of the mailing of the decision.

[(4) There is hereby established a "Child Care Background Screening Review Committee", which shall consist of the directors of the department of health and senior services and the department of social services or the directors' designee or designees.

(5) Any decision by the child care background screening review committee to grant an eligibility exception as allowed in this section shall only be made upon the approval of all committee members.]

10. [The department of health and senior services and the department of social services are authorized to enter into any agreements necessary to facilitate the sharing of information between the departments for the enforcement of this section including, but not limited to, the results of the criminal background check or any of its individual components.

11.] Nothing in this section shall prohibit [either] the department [of health and senior services or the department of social services] from requiring more frequent checks of the family care safety registry established under section 210.903 or the central registry for child abuse established under section 210.109 in order to determine eligibility for employment or presence at the child care facility or receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits.

[12.] 11. The department [of health and senior services and the department of social services] may [each] adopt emergency rules to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

[13.] 12. The provisions of this section shall not apply to any child care facility, as defined in section 210.201, maintained or operated under the exclusive control of a religious organization, as described in subdivision (17) of subsection 1 of section 210.211, unless such facility is a recipient of federal funds for providing care for children, except for federal funds for those programs that meet the requirements for participation in the Child and Adult Care Food Program under 42 U.S.C. Section 1766.

217.940. NURSERY PROGRAM TO BE ESTABLISHED, PURPOSE — DEFINITIONS. — 1. This act establishes the "Correctional Center Nursery Program". The department of corrections shall, subject to appropriations, establish a correctional center nursery in one or more of the correctional centers for women operated by the department, no later than July 1, 2025. The purpose of the correctional center nursery program is for bonding and unification between the mother and child. The program shall allow eligible inmates and children born from them while in the custody of the department to reside together in the institution for up to eighteen months post-delivery. In establishing this program, neither the inmate's participation in the program nor any provision of sections 217.940 to 217.947 shall affect, modify, or interfere with the inmate's custodial rights to the child nor does it establish legal custody of the child with the department.

2. As used in sections 217.940 to 217.947, the following terms shall mean:

(1) "Correctional center nursery program", the program authorized by sections 217.940 to 217.947;

(2) "Department", the department of corrections;

(3) "Public assistance", all forms of assistance, including monetary assistance from any public source paid either to the mother or child or any other person on behalf of the child;

(4) "Support", the payment of money, including interest:

(a) For a child or spouse ordered by a court of competent jurisdiction, whether the payment is ordered in an emergency, temporary, permanent, or modified order, the amount of unpaid support shall

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Matter underscored is proposed language.

bear simple interest from the date it accrued, at a rate of ten dollars upon one hundred dollars per annum, and proportionately for a greater or lesser sum, or for a longer or shorter time;

(b) To third parties on behalf of a child or spouse, including, but not limited to, payments to medical, dental or educational providers, payments to insurers for health and hospitalization insurance, payments of residential rent or mortgage payments, payments on an automobile, or payments for day care; or

(c) For a mother, ordered by a court of competent jurisdiction, for the necessary expenses incurred by or for the mother in connection with her confinement or of other expenses in connection with the pregnancy of the mother.

217.941. ELIGIBILITY, PLACEMENT, AND PROGRAM CAPACITY. — 1. An inmate is eligible to participate in the correctional center nursery program if:

(1) She delivers the child while in the custody of the department;

(2) She is expected to give birth or gives birth on or after the date the program is implemented;

(3) She has a presumptive release date established by the parole board of eighteen months or less from the date she applies to participate in the program;

(4) She has not pled guilty to or been convicted of a dangerous felony as defined in section 556.061;

(5) She has not pled guilty to or been convicted of any sexual offense contained in chapter 566 where the victim of the crime was a minor;

(6) She has not pled guilty to or been convicted of an offense against the family contained in chapter 568, excluding criminal nonsupport; and

(7) She and the child meet any other criteria established by the department.

2. Placement into the program shall be by internal classification of the department. A sentencing court is without jurisdiction to order a placement of an inmate into the program.

3. Program capacity shall be determined by the department.

4. Upon first release of the mother and child, the child shall not be eligible to return to the program if the mother is revoked or receives a new assignment to the department of corrections.

217.942. WRITTEN AGREEMENT, CONTENTS — PROGRAM POLICY REQUIRED. — 1. To participate in the correctional center nursery program, each eligible inmate selected by the department shall agree in writing to:

(1) Comply with all department policies, procedures and other requirements related to the corrections nursery program and rules that apply to all incarcerated offenders generally;

(2) If eligible, have the child participate in the state children's health insurance program under sections 208.631 to 208.658;

(3) Abide by any court decisions regarding the allocation of parental rights and responsibilities with respect to the child; and

(4) Specify with whom the child is to be placed in the event the inmate's participation in the program is terminated for a reason other than release from imprisonment.

2. The department shall be required to establish policy for the operation of the program.

217.943. TERMINATION OF PARTICIPATION, WHEN. — An inmate's participation in the correctional center nursery program may be terminated by the department if one of the following occurs:

(1) The inmate fails to comply with the agreement entered into under section 217.942;

(2) The inmate violates an institutional rule that results in alternative housing placement outside of the area designated for the program;

(3) The inmate's child becomes seriously ill, cannot receive the necessary medical care, or otherwise cannot safely participate in the program;

(4) A court of competent jurisdiction grants custody of the child to a person other than the inmate;

(5) A court of competent jurisdiction issues an order regarding the child granting temporary, permanent, or legal custody of the child to a person other than the inmate, or to a public children services agency or private child placing agency; or

(6) The inmate is released from imprisonment.

217.944. CHILD SUPPORT PAYMENTS, COLLECTED AND DEPOSITED — MONETARY DONATIONS TO PROGRAM PERMITTED. — 1. The division of child support enforcement shall collect support payments made pursuant to the assignment and forward them to the department for deposit into the inmate's inmate banking account.

2. The department may accept monetary and property donations on behalf of the program.

3. All donations accepted by the department for the correctional center nursery program shall be used solely for any expenses relating to the operation and maintenance of the program.

4. No donations of property shall be made on behalf of one particular inmate or child to be used while incarcerated.

5. Financial donations, public assistance, or support for a specific inmate or child shall be made through the inmate banking system.

217.945. CORRECTIONAL CENTER NURSERY PROGRAM FUND CREATED, USE OF MONEYS. — 1. There is hereby created in the state treasury the "Correctional Center Nursery Program Fund", which shall consist of money collected under this section and section 217.944 as well as any appropriations made by the general assembly. The department shall obtain sufficient resources to initiate and maintain the program and may accept gifts, grants, and donations of any kind. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department for the purposes of operating and maintaining sections 217.940 to 217.947.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

217.946. REGULATION AND OVERSIGHT BY OTHER AGENCIES SUBJECT TO DEPARTMENT CONSENT. — Notwithstanding any other provision of law to the contrary, neither the correctional center nursery program nor the department, with respect to the program, is subject to any regulation, licensing or oversight by the department of health and senior services, department of social services, children's division, juvenile officer of any jurisdiction or the office of childhood unless the department voluntarily agrees to services, regulation, licensing, or oversight from any of the aforementioned entities.

217.947. SOVEREIGN IMMUNITY IN EFFECT — PROGRAM NOT A WAIVER, NOT CONSIDERED A DANGEROUS CONDITION. — The operation of a correctional center nursery program established under sections 217.940 to 217.947 and the presence of children of inmates participating in the correctional center nursery program shall not be considered a dangerous condition that would result in a waiver of sovereign immunity under section 537.600. The sovereign immunity provisions of section 537.600 and any other statute regarding the sovereign immunity of the state or public entities in existence as of August 28, 2022, shall remain in effect and shall be applied in the same manner as such provisions were applied prior to the establishment of the correctional center nursery program under sections 217.940 to 217.947.

[210.199. LICENSURE THROUGH THE DEPARTMENT OF HEALTH AND SENIOR SERVICES REQUIRED FOR RECEIPT OF CERTAIN EDUCATION FUNDS.] — Any applicant for a grant or contract who offers early childhood development, education or care programs and who receives funds derived from an appropriation to the department of elementary and secondary education pursuant to paragraph (d) of subdivision (3) of section 313.835 shall be licensed by the department of health and senior services pursuant to sections 210.201 to 210.259 prior to opening of the facility. The provisions of this section shall not apply to any grant or contract awarded to a request for proposal issued prior to August 28, 1999.]

SECTION B. EMERGENCY CLAUSE. — Because of the need for safe and adequate child care services for Missouri families, the repeal and reenactment of section 210.211 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 210.211 of this act shall be in full force and effect upon its passage and approval.

Approved June 30, 2022

CCS HCS #2 SB 710

Enacts provisions relating to health care, with penalty provisions and an emergency clause for a certain section.

AN ACT to repeal sections 167.630, 172.800, 191.116, 191.500, 191.515, 191.520, 191.525, 191.743, 192.005, 192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 196.866, 196.868, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 208.798, 208.909, 210.921, 251.070, 301.020, 302.171, 335.230, 335.257, 376.427, 376.1575, and 660.010, RSMo, and to enact in lieu thereof fifty-four new sections relating to health care, with penalty provisions and an emergency clause for a certain section.

SECTION

- A Enacting clause.
- 9.236 Sickie Cell Awareness Week designated for third full week in September.
- 9.350 Biliary Atresia Awareness Day designated for October 1.
- 167.625 Will's law — definitions — epilepsy or seizure disorder, individualized emergency health care plan, requirements — immunity from liability, when.
- 167.630 Epinephrine prefilled auto syringes, school nurse authorized to maintain adequate supply — administration authorized, when.
- 172.800 Definitions.
- 191.116 Alzheimer's state plan task force established — members, appointment, duties — report — expiration date.
- 191.500 Definitions.
- 191.515 Requirements for application.
- 191.520 Maximum amount of loans — source of funds.
- 191.525 Number of loans available — to whom — length of loans.
- 191.743 High risk pregnancies, women to be informed of available services — consent to inform department of health and senior services, forms — confidentiality — physicians not to be liable.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 191.1400 Citation of law — definitions — compassionate care visits to be permitted, policy — limitations — informational materials — violations may be reported — immunity from liability, when.
- 191.2290 Citation of law — definitions — state of emergency, designated essential caregiver designation — requirements.
- 192.005 Department of health and senior services created — division of health abolished — duties.
- 192.2225 Right to enter premises for compliance inspections or to investigate complaints — failure to permit, effect.
- 194.210 Definitions.
- 194.255 Persons eligible to receive gift in the document of gift — gifts not naming persons, effect of — refusal of gift required when.
- 194.265 Referral to procurement organization, diligent search of donor registry required — reasonable examination of body parts permitted, when — search for minor's parents required, when — attending physician shall not procure, when.
- 194.285 Immunity from liability, when.
- 194.290 Declarations and advance health care directives — definitions — gift in conflict with, donor or physician to resolve.
- 194.297 Organ donor program fund established — funding, administration, purpose — transfer to general revenue prohibited.
- 194.299 Money in organ donor program fund, how expended.
- 194.304 Transfer of donor registry information, department of revenue to cooperate — registry requirements.
- 194.321 Recipients and donors, COVID-19 vaccination status not to be considered, when, exception.
- 196.866 Manufacturer's license required, exceptions — application, fees, investigation — expires when — license withheld or revoked, notice, hearing — judicial review.
- 196.868 Nonresident manufacturer to obtain broker's license, fee.
- 197.100 Inspections by department of health and senior services required, reports from certain other agencies accepted, when — department to determine life, safety, and building codes.
- 197.256 Renewal, when required, form, fee — survey, approval, renewal of certificate — certificate not renewed is void — statistical reports required.
- 197.258 Department authorized to make surveys, when required — visiting of homes — survey of other governmental agency, requirements — reciprocal agreements with bordering states — maintenance of branch office in Missouri required, when.
- 197.400 Definitions.
- 197.415 License issued or renewed, requirements.
- 197.445 Rules and regulations, procedure.
- 198.006 Definitions.
- 198.022 Duty of department on receipt of application — duty upon denial — department may copy records at its expense — removal of records prohibited — inspection, when — court order to inspect — out-of-state applicants, compliance history may be requested.
- 198.026 Noncompliance, how determined — procedure to correct — notice — reinspection — probationary license.
- 198.036 Revocation of license — grounds — notice required.
- 198.525 Inspection of certain long-term care facilities, when — restrictions on surveyors, required disclosures — immediate family member defined — conflict of interest, when.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 198.526 Biannual inspections — reevaluation of inspection process — reduction in inspection schedule, when — disclosure of inspection schedule limited, penalty for violation.
- 198.545 Definitions — contracting with third parties — department to establish IDR process, procedures — rulemaking authority.
- 198.640 Definitions.
- 198.642 Supplemental health care services agency, registration required — procedure.
- 198.644 Agency criteria — revocation and nonrenewal of registration, when — appeal procedure.
- 198.646 Complaints, reporting system.
- 198.648 Rulemaking authority.
- 208.184 Rare diseases, advisory council — sickle cell disease and MO HealthNet beneficiaries, annual evaluation and review — report.
- 208.798 Termination date.
- 208.909 Responsibilities of recipients and vendors.
- 210.921 Release of registry information, when — limitations of disclosure — immunity from liability, when.
- 251.070 Department to implement older Americans act.
- 301.020 Application for registration of motor vehicles, contents — certain vehicles, special provisions — penalty for failure to comply — optional blindness assistance donation — donation to organ donor program or Missouri medal of honor recipients fund permitted.
- 302.171 Application for license — form — content — educational materials to be provided to applicants under twenty-one — voluntary contribution to certain programs and fund — denial of driving privilege, when — exemption from requirement to provide proof of residency — one-year renewal, requirements.
- 335.230 Financial assistance, amount.
- 335.257 Verification of qualified employment.
- 376.427 Assignment of benefits made by insured to provider — payment, how made — exceptions — all claims to be paid, when — out-of-network services, how paid.
- 376.1575 Definitions.
- 630.202 Essential caregiver designation, procedure, requirements.
- 660.010 Department of social services created — divisions and agencies assigned to department — duties, powers — director's appointment.
 - 1 Black Maternal Health Week designated for April 11-17.
 - B Emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 167.630, 172.800, 191.116, 191.500, 191.515, 191.520, 191.525, 191.743, 192.005, 192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 196.866, 196.868, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 208.798, 208.909, 210.921, 251.070, 301.020, 302.171, 335.230, 335.257, 376.427, 376.1575, and 660.010, RSMo, are repealed and fifty-four new sections enacted in lieu thereof, to be known as sections 9.236, 9.350, 167.625, 167.630, 172.800, 191.116, 191.500, 191.515, 191.520, 191.525, 191.1400, 191.2290, 192.005, 192.2225, 194.210, 194.255, 194.265, 194.285, 194.290, 194.297, 194.299, 194.304, 194.321, 197.100, 197.256, 197.258, 197.400, 197.415, 197.445, 198.006, 198.022, 198.026, 198.036, 198.525, 198.526, 198.545, 198.640, 198.642, 198.644, 198.646, 198.648, 208.184, 208.798, 208.909, 210.921, 301.020, 302.171, 335.230, 335.257, 376.427, 376.1575, 630.202, 660.010, and 1, to read as follows:

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Matter underscored is proposed language.

9.236. SICKLE CELL AWARENESS WEEK DESIGNATED FOR THIRD FULL WEEK IN SEPTEMBER. — The third full week in September of each year shall be known and designated as "Sickle Cell Awareness Week". Sickle cell disease is a genetic disease in which a person's body produces abnormally shaped red blood cells that resemble a crescent and that do not last as long as normal round red blood cells, which leads to anemia. It is recommended to the people of the state that the week be appropriately observed through activities that will increase awareness of sickle cell disease and efforts to improve treatment options for patients.

9.350. BILIARY ATRESIA AWARENESS DAY DESIGNATED FOR OCTOBER 1. — October first each year is hereby designated as "Biliary Atresia Awareness Day" in Missouri, in memory of Annistyn Kate Rackley. The citizens of this state are encouraged to participate in appropriate events and activities to raise awareness about this rare congenital liver disease that occurs when bile ducts do not develop normally.

167.625. WILL'S LAW — DEFINITIONS — EPILEPSY OR SEIZURE DISORDER, INDIVIDUALIZED EMERGENCY HEALTH CARE PLAN, REQUIREMENTS — IMMUNITY FROM LIABILITY, WHEN. — 1. This section shall be known and may be cited as "Will's Law".

2. As used in this section, the following terms mean:

(1) "Individualized emergency health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals, that is consistent with the recommendations of the student's health care providers, that describes procedural guidelines that provide specific directions about what to do in a particular emergency situation, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(2) "Individualized health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals who may be providing epilepsy or seizure disorder care to the student, that is consistent with the recommendations of the student's health care providers, that describes the health services needed by the student at school, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(3) "Parent", a parent, guardian, or other person having charge, control, or custody of a student;

(4) "School", any public elementary or secondary school or charter school;

(5) "School employee", a person employed by a school;

(6) "Student", a student who has epilepsy or a seizure disorder and who attends a school.

3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at school shall inform the school nurse or the school administrator or the administrator's designee in the absence of the school nurse. The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student. The parent of the student shall annually provide to the school written authorization for the provision of epilepsy or seizure disorder care as described in the individualized plans.

(2) The individualized plans developed under subdivision (1) of this subsection shall be updated by the school nurse before the beginning of each school year and as necessary if there is a change in the health status of the student.

(3) Each individualized health care plan shall, and each individualized emergency health care plan may, include but not be limited to the following information:

(a) A notice about the student's condition for all school employees who interact with the student;

(b) Written orders from the student's physician or advanced practice nurse describing the epilepsy or seizure disorder care;

(c) The symptoms of the epilepsy or seizure disorder for that particular student and recommended care;

(d) Whether the student may fully participate in exercise and sports, and any contraindications to exercise or accommodations that shall be made for that particular student;

(e) Accommodations for school trips, after-school activities, class parties, and other school-related activities;

(f) Information for such school employees about how to recognize and provide care for epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when to call for assistance, emergency contact information, and parent contact information;

(g) Medical and treatment issues that may affect the educational process of the student;

(h) The student's ability to manage, and the student's level of understanding of, the student's epilepsy or seizure disorder; and

(i) How to maintain communication with the student, the student's parent and health care team, the school nurse or the school administrator or the administrator's designee in the absence of the school nurse, and the school employees.

4. (1) The school nurse assigned to a particular school or the school administrator or the administrator's designee in the absence of the school nurse shall coordinate the provision of epilepsy and seizure disorder care at that school and ensure that all school employees are trained every two years in the care of students with epilepsy and seizure disorders including, but not limited to, school employees working with school-sponsored programs outside of the regular school day, as provided in the student's individualized plans.

(2) The training required under subdivision (1) of this subsection shall include an online or in-person course of instruction approved by the department of health and senior services that is provided by a reputable, local, Missouri-based health care or nonprofit organization that supports the welfare of individuals with epilepsy and seizure disorders.

5. The school nurse or the school administrator, or the administrator's designee in the absence of the school nurse, shall obtain a release from a student's parent to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers. The release shall also authorize the school nurse or the school administrator, or the administrator's designee in the absence of the school nurse, to share medical information with other school employees in the school district as necessary. No sharing of information under this subsection shall be construed to be a violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a student's parent has provided a release under this subsection.

6. No school employee including, but not limited to, a school nurse, a school bus driver, a school bus aide, or any other officer or agent of a school shall be held liable for any good faith act or omission consistent with the provisions of this section, nor shall an action before the state board of nursing lie against a school nurse for any such action taken by a school employee trained in good faith by the school nurse under this section. "Good faith" shall not be construed to include willful misconduct, gross negligence, or recklessness.

167.630. EPINEPHRINE PREFILLED AUTO SYRINGES, SCHOOL NURSE AUTHORIZED TO MAINTAIN ADEQUATE SUPPLY — ADMINISTRATION AUTHORIZED, WHEN. — 1. Each school board may authorize a school nurse licensed under chapter 335 who is employed by the school district and for whom the board is responsible for to maintain an adequate supply of prefilled auto syringes of epinephrine with fifteen-hundredths milligram or three-tenths milligram delivery at the school. The nurse shall recommend to the school board the number of prefilled epinephrine auto syringes that the school should maintain.

2. To obtain prefilled epinephrine auto syringes for a school district, a prescription written by a licensed physician, a physician's assistant, or nurse practitioner is required. For such prescriptions, the

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Matter underscored is proposed language.

school district shall be designated as the patient, the nurse's name shall be required, and the prescription shall be filled at a licensed pharmacy.

3. A school nurse [or], contracted agent trained by a nurse, or other school employee trained by and supervised by the nurse shall have the discretion to use an epinephrine auto syringe on any student the school nurse [or], trained employee, or trained contracted agent believes is having a life-threatening anaphylactic reaction based on the training in recognizing an acute episode of an anaphylactic reaction. The provisions of section 167.624 concerning immunity from civil liability for trained employees administering lifesaving methods shall apply to trained employees administering a prefilled auto syringe under this section. Trained contracted agents shall have immunity from civil liability for administering a prefilled auto syringe under this section.

172.800. DEFINITIONS. — As used in sections 172.800 to 172.807, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Alzheimer's disease and related disorders", diseases resulting from significant destruction of brain tissue and characterized by a decline of memory and other intellectual functions. These diseases include but are not limited to progressive, degenerative and dementing illnesses such as presenile and senile dementias, Alzheimer's disease and other related disorders;

(2) "Board of curators", the board of curators of the University of Missouri;

(3) "Investigator", any person with research skills who seeks state funding for a research project under sections 172.800 to 172.807;

(4) "Research project", any original investigation for the advancement of scientific knowledge in the area of Alzheimer's disease and related disorders;

(5) ["Task force", the Alzheimer's disease and related disorders task force established pursuant to sections 660.065 and 660.066;

(6)] "Advisory board", a board appointed by the board of curators to advise on the administration of the program established by sections 172.800 to 172.807.

191.116. ALZHEIMER'S STATE PLAN TASK FORCE ESTABLISHED — MEMBERS, APPOINTMENT, DUTIES — REPORT — EXPIRATION DATE. — 1. There is hereby established in the department of health and senior services the "Alzheimer's State Plan Task Force". The task force shall consist of twenty-one members, as follows:

(1) The lieutenant governor, or his or her designee, who shall serve as chair of the task force;

(2) The directors of the departments of health and senior services, social services, and mental health, or their designees;

(3) One member of the house of representatives to be appointed by the speaker of the house of representatives;

(4) One member of the senate to be appointed by the president pro tempore of the senate;

(5) One member who has early-stage Alzheimer's disease or a related dementia;

(6) One member who is a family caregiver of a person with Alzheimer's disease or a related dementia;

(7) One member who is a licensed physician with experience in the diagnosis, treatment, and research of Alzheimer's disease;

(8) One member from the office of state ombudsman for long-term care facility residents;

(9) One member representing residential long-term care;

(10) One member representing the home care profession;

(11) One member representing the adult day services profession;

(12) One member representing the area agencies on aging;

(13) One member with expertise in minority health;

(14) One member representing the law enforcement community;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

(15) One member from the department of higher education and workforce development with knowledge of workforce training;

(16) Two members representing voluntary health organizations in Alzheimer's disease care, support, and research;

(17) One member representing licensed skilled nursing facilities; and

(18) One member representing Missouri veterans' homes.

2. The members of the task force, other than the lieutenant governor, members from the general assembly, and department and division directors, shall be appointed by the governor with the advice and consent of the senate. Members shall serve on the task force without compensation.

3. The task force shall assess all state programs that address Alzheimer's disease and update and maintain an integrated state plan to overcome the challenges caused by Alzheimer's disease. The state plan shall include implementation steps and recommendations for priority actions based on this assessment. The task force's actions shall include, but shall not be limited to, the following:

(1) Assess the current and future impact of Alzheimer's disease on residents of the state of Missouri;

(2) Examine the existing services and resources addressing the needs of persons with Alzheimer's disease and their families and caregivers;

(3) Develop recommendations to respond to the escalating public health crisis regarding Alzheimer's disease;

(4) Ensure the inclusion of ethnic and racial populations that have a higher risk for Alzheimer's disease or are least likely to receive care in clinical, research, and service efforts, with the purpose of decreasing health disparities in Alzheimer's disease treatment;

(5) Identify opportunities for the state of Missouri to coordinate with federal government entities to integrate and inform the fight against Alzheimer's disease;

(6) Provide information and coordination of Alzheimer's disease research and services across all state agencies;

(7) Examine dementia-specific training requirements across health care, adult protective services workers, law enforcement, and all other areas in which staff are involved with the delivery of care to those with Alzheimer's disease and other dementias; and

(8) Develop strategies to increase the diagnostic rate of Alzheimer's disease in Missouri.

4. The task force shall deliver a report of recommendations to the governor and members of the general assembly no later than ~~June 1, 2022~~ January 1, 2023.

5. The task force shall continue to meet at the request of the chair and at a minimum of one time annually for the purpose of evaluating the implementation and impact of the task force recommendations and shall provide annual supplemental report updates on the findings to the governor and the general assembly.

6. The provisions of this section shall expire on December 31, ~~2026~~ 2027.

191.500. DEFINITIONS. — As used in sections 191.500 to 191.550, unless the context clearly indicates otherwise, the following terms mean:

(1) "Area of defined need", a community or section of an urban area of this state which is certified by the department of health and senior services as being in need of the services of a physician to improve the patient-doctor ratio in the area, to contribute professional physician services to an area of economic impact, or to contribute professional physician services to an area suffering from the effects of a natural disaster;

(2) "Department", the department of health and senior services;

(3) "Eligible student", a full-time student accepted and enrolled in a formal course of instruction leading to a degree of doctor of medicine or doctor of osteopathy, including psychiatry, at a participating school, or a doctor of dental surgery, doctor of dental medicine, or a bachelor of science degree in dental hygiene;

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(4) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant pursuant to sections 191.500 to 191.550;

(5) "Participating school", an institution of higher learning within this state which grants the degrees of doctor of medicine or doctor of osteopathy, and which is accredited in the appropriate degree program by the American Medical Association or the American Osteopathic Association, or a degree program by the American Dental Association or the American Psychiatric Association, and applicable residency programs for each degree type and discipline;

(6) "Primary care", general or family practice, internal medicine, pediatric ~~or~~, psychiatric, obstetric and gynecological care as provided to the general public by physicians licensed and registered pursuant to chapter 334, dental practice, or a dental hygienist licensed and registered pursuant to chapter 332;

(7) "Resident", any natural person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state;

(8) "Rural area", a town or community within this state which is not within a "standard metropolitan statistical area", and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a standard metropolitan statistical area.

191.515. REQUIREMENTS FOR APPLICATION. — An eligible student may apply to the department for a loan under sections 191.500 to 191.550 only if, at the time of his application and throughout the period during which he receives the loan, he has been formally accepted as a student in a participating school in a course of study leading to the degree of doctor of medicine or doctor of osteopathy, including psychiatry, or a doctor of dental surgery, a doctor of dental medicine, or a bachelor of science degree in dental hygiene, and is a resident of this state.

191.520. MAXIMUM AMOUNT OF LOANS — SOURCE OF FUNDS. — No loan to any eligible student shall exceed ~~[seven thousand five hundred]~~ twenty-five thousand dollars for each academic year, which shall run from August first of any year through July thirty-first of the following year. All loans shall be made from funds appropriated to the medical school loan and loan repayment program fund created by section 191.600, by the general assembly.

191.525. NUMBER OF LOANS AVAILABLE — TO WHOM — LENGTH OF LOANS. — No more than twenty-five loans shall be made to eligible students during the first academic year this program is in effect. Twenty-five new loans may be made for the next three academic years until a total of one hundred loans are available. At least one-half of the loans shall be made to students from rural areas as defined in section 191.500. An eligible student may receive loans for each academic year he is pursuing a course of study directly leading to a degree of doctor of medicine or doctor of osteopathy, doctor of dental surgery, or doctor of dental medicine, or a bachelor of science degree in dental hygiene.

191.1400. CITATION OF LAW — DEFINITIONS — COMPASSIONATE CARE VISITS TO BE PERMITTED, POLICY — LIMITATIONS — INFORMATIONAL MATERIALS — VIOLATIONS MAY BE REPORTED — IMMUNITY FROM LIABILITY, WHEN. — 1. This section shall be known and may be cited as the "Compassionate Care Visitation Act".

2. For purposes of this section, the following terms mean:

(1) "Compassionate care visitor", a patient's or resident's friend, family member, or other person requested by the patient or resident for the purpose of a compassionate care visit;

(2) "Compassionate care visit", a visit necessary to meet the physical or mental needs of the patient or resident, including, but not limited to:

(a) For end-of-life situations, including making decisions regarding end-of-life care during in-person contact or communication with the compassionate care visitor;

(b) For adjustment support or communication support, including, but not limited to, assistance with hearing and speaking;

(c) For emotional support;

(d) For physical support after eating or drinking issues, including weight loss or dehydration; or

(e) For social support;

(3) "Health care facility", a hospital, as defined in section 197.020, a long-term care facility licensed under chapter 198, or a hospice facility certified under chapter 197.

3. A health care facility shall allow a patient or resident, or his or her legal guardian, to permit at least two compassionate care visitors simultaneously to have in-person contact with the patient or resident during visiting hours. Compassionate care visitation hours shall be no less than six hours daily and shall include evenings, weekends, and holidays. Health care facilities shall be permitted to place additional restrictions on children under the age of fourteen who are compassionate care visitors.

4. Health care facilities shall have a visitation policy that allows, at a minimum:

(1) Twenty-four hour attendance by a compassionate care visitor when reasonably appropriate;

(2) A compassionate care visitor to leave and return within the hours of the visitation policy. A patient or resident may receive multiple compassionate care visitors during visitation hours, subject to the provisions of subsection 3 of this section; and

(3) Parents with custody or unsupervised visitation rights, legal guardians, and other persons standing in loco parentis to be physically present with a minor child while the child receives care in the facility.

5. This section shall not affect any obligation of a health care facility to:

(1) Provide patients or residents with effective communication supports or other reasonable accommodations in accordance with federal and state laws to assist in remote personal contact; and

(2) Comply with the provisions of the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq.

6. A health care facility may limit:

(1) The number of visitors per patient or resident at one time based on the size of the building and physical space;

(2) Movement of visitors within the health care facility, including restricting access to operating rooms, isolation rooms or units, behavioral health units, or other commonly restricted areas; and

(3) Access of any person to a patient;

(a) At the request of the patient or resident, or the legal guardian of such;

(b) At the request of a law enforcement agency for a person in custody;

(c) Due to a court order;

(d) To prevent substantial disruption to the care of a patient or resident or the operation of the facility;

(e) During the administration of emergency care in critical situations;

(f) If the person has measurable signs and symptoms of a transmissible infection; except that, the health care facility shall allow access through telephone or other means of telecommunication that ensure the protection of the patient or resident;

(g) If the health care facility has reasonable cause to suspect the person of being a danger or otherwise contrary to the health or welfare of the patient or resident, other patients or residents, or facility staff; or

(h) If, in the clinical judgment of the patient's or resident's attending physician, the presence of visitors would be medically or therapeutically contraindicated to the health or life of the patient or resident, and the attending physician attests to such in the patient's or resident's chart.

7. Nothing in this section shall limit a health care facility from limiting or redirecting visitors of a patient or resident in a shared room to ensure the health and safety of the patients or residents in the shared room. Nothing in this section shall be construed to prohibit health care facilities from adopting reasonable safety or security restrictions or other requirements for visitors.

8. Nothing in this section shall be construed to waive or change long-term care facility residents' rights under sections 198.088 and 198.090.

9. No later than January 1, 2023, the department of health and senior services shall develop informational materials for patients, residents, and their legal guardians, regarding the provisions of this section. A health care facility shall make these informational materials accessible upon admission or registration and on the primary website of the health care facility.

10. A compassionate care visitor of a patient or resident of a health care facility may report any violation of the provisions of this section by a health care facility to the department of health and senior services. The department shall begin investigating any such complaint filed under this subsection within thirty-six hours of receipt of the complaint. The purpose of such investigation shall be to ensure compliance with the provisions of this section and any such investigation shall otherwise comply with the complaint processes established by section 197.080 for a hospital, section 197.268 for a hospice facility, and section 198.532 for a long-term care facility.

11. No health care facility shall be held liable for damages in an action involving a liability claim against the facility arising from the compliance with the provisions of this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct and shall be provided in addition to, and shall in no way limit, any other immunity protections that may apply in state or federal law.

12. The provisions of this section shall not be terminated, suspended, or waived except by a declaration of emergency under chapter 44, during which time the provisions of sections 191.2290 and 630.202 shall apply.

191.2290. CITATION OF LAW — DEFINITIONS — STATE OF EMERGENCY, DESIGNATED ESSENTIAL CAREGIVER DESIGNATION — REQUIREMENTS. — 1. The provisions of this section and section 630.202 shall be known and may be cited as the "Essential Caregiver Program Act".

2. As used in this section, the following terms mean:

(1) "Department", the department of health and senior services;

(2) "Essential caregiver", a family member, friend, guardian, or other individual selected by a facility resident or patient who has not been adjudged incapacitated under chapter 475, or the guardian or legal representative of the resident or patient;

(3) "Facility", a hospital licensed under chapter 197 or a facility licensed under chapter 198.

3. During a state of emergency declared pursuant to chapter 44 relating to infectious, contagious, communicable, or dangerous diseases, a facility shall allow a resident or patient who has not been adjudged incapacitated under chapter 475, a resident's or patient's guardian, or a resident's or patient's legally authorized representative to designate an essential caregiver for in-person contact with the resident or patient in accordance with the standards and guidelines developed by the department under this section. Essential caregivers shall be considered as part of the resident's or patient's care team, along with the resident's or patient's health care providers and facility staff.

4. The facility shall inform, in writing, residents and patients who have not been adjudged incapacitated under chapter 475, or guardians or legal representatives of residents or patients, of the "Essential Caregiver Program" and the process for designating an essential caregiver.

5. The department shall develop standards and guidelines concerning the essential caregiver program, including, but not limited to, the following:

(1) The facility shall allow at least two individuals per resident or patient to be designated as essential caregivers, although the facility may limit the in-person contact to one caregiver at a time. The

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(2) The facility shall establish a reasonable in-person contact schedule to allow the essential caregiver to provide care to the resident or patient for at least four hours each day, including evenings, weekends, and holidays, but shall allow for twenty-four-hour in-person care as necessary and appropriate for the well-being of the resident or patient. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(3) The facility shall establish procedures to enable physical contact between the resident or patient and the essential caregiver. The facility may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of facility employees;

(4) The facility shall specify in its protocols the criteria that the facility will use if it determines that in-person contact by a particular essential caregiver is inconsistent with the resident's or patient's therapeutic care and treatment or is a safety risk to other residents, patients, or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven days to determine if the limitations remain appropriate; and

(5) The facility may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under this subsection.

6. (1) A facility may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven days. The department may deny the facility's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk. A facility may request from the department an extension of a suspension for more than seven days; provided, that the department shall not approve an extension period for longer than seven days at a time. A facility shall not suspend in-person caregiver contact for more than fourteen consecutive days in a twelve-month period or for more than forty-five total days in a twelve-month period.

(2) The department shall suspend in-person contact by essential caregivers under this section if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the resident's or patient's care team.

(3) The attorney general shall institute all suits necessary on behalf of the state to defend the right of the state to implement the provisions of this section to ensure access by residents and patients to essential caregivers as part of their care team.

7. The provisions of this section shall not be construed to require an essential caregiver to provide necessary care to a resident or patient and a facility shall not require an essential caregiver to provide necessary care.

8. The provisions of this section shall not apply to those residents or patients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reasons for the declared state emergency.

9. A facility, its employees, and its contractors shall be immune from civil liability for an injury or harm caused by or resulting from:

(1) Exposure to a contagious disease or other harmful agent that is specified during the state of emergency declared pursuant to chapter 44; or

(2) Acts or omissions by essential caregivers who are present in the facility;

as a result of the implementation of the essential caregiver program under this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct.

192.005. DEPARTMENT OF HEALTH AND SENIOR SERVICES CREATED — DIVISION OF HEALTH ABOLISHED — DUTIES. — 1. There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of developmental disability, the hospital subsidy program, chapter 189, the state board of health and senior services, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, the licensure and certification of hospitals, chapter 197, the Missouri chest hospital, sections 199.010 to 199.070, are hereby transferred to the department of health and senior services by a type I transfer, and the state cancer center and cancer commission, chapter 200, is hereby transferred to the department of health and senior services by a type III transfer as such transfers are defined in section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section. The division of health of the department of social services is abolished.

2. The state's responsibility under public law 73, Older Americans Act of 1965, of the eighty-ninth Congress is transferred by type I transfer to the department of health and senior services. The department shall be responsible for the implementation of the Older Americans Act in Missouri. The department shall develop a state plan describing a program for carrying out the Older Americans Act and shall be the sole agency responsible for coordinating all state programs related to the implementation of such plan.

192.2225. RIGHT TO ENTER PREMISES FOR COMPLIANCE INSPECTIONS OR TO INVESTIGATE COMPLAINTS — FAILURE TO PERMIT, EFFECT. — 1. The department shall have the right to enter the premises of an applicant for or holder of a license at any time during the hours of operation of a center to determine compliance with provisions of sections 192.2200 to 192.2260 and applicable rules promulgated pursuant thereto. Entry shall also be granted for investigative purposes involving complaints regarding the operations of an adult day care program. The department shall make at least ~~two inspections~~ one inspection per year, ~~at least one of~~ which shall be unannounced to the operator or provider. The department may make such other inspections, announced or unannounced, as it deems necessary to carry out the provisions of sections 192.2200 to 192.2260.

2. ~~The department may reduce the frequency of inspections to once a year if an adult day care program is found to be in substantial compliance. The basis for such determination shall include, but not be limited to, the following:~~

~~(1) Previous inspection reports;~~

~~(2) The adult day care program's history of compliance with rules promulgated pursuant to this chapter; and~~

~~(3) The number and severity of complaints received about the adult day care program.~~

~~3.] The applicant for or holder of a license shall cooperate with the investigation and inspection by providing access to the adult day care program, records and staff, and by providing access to the adult day care program to determine compliance with the rules promulgated pursuant to sections 192.2200 to 192.2260.~~

~~[4.] 3.] Failure to comply with any lawful request of the department in connection with the investigation and inspection is a ground for refusal to issue a license or for the revocation of a license.~~

[5.] 4. The department may designate to act for it, with full authority of law, any instrumentality of any political subdivision of the state of Missouri deemed by the department to be competent to investigate and inspect applicants for or holders of licenses.

194.210. DEFINITIONS. — 1. Sections 194.210 to 194.294 may be cited as the "Revised Uniform Anatomical Gift Act".

2. As used in sections 194.210 to 194.294, the following terms mean:

(1) "Adult", an individual who is at least eighteen years of age;

(2) "Agent", an individual:

(a) Authorized to make health-care decisions on the principal's behalf by a power of attorney for health care; or

(b) Expressly authorized to make an anatomical gift on the principal's behalf by any other record signed by the principal;

(3) "Anatomical gift", a donation of all or part of a human body to take effect after the donor's death for the purposes of transplantation, therapy, research, or education;

(4) ["Cadaver procurement organization", an entity lawfully established and operated for the procurement and distribution of anatomical gifts to be used as cadavers or cadaver tissue for appropriate education or research;

(5)] "Decedent", a deceased individual whose body or part is or may be the source of an anatomical gift. The term includes a stillborn infant but does not include an unborn child as defined in section 1.205 or 188.015 if the child has not died of natural causes;

[(6)] (5) "Disinterested witness", a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift. The term does not include a person to which an anatomical gift could pass under section 194.255;

[(7)] (6) "Document of gift", a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver's license, identification card, or donor registry;

[(8)] (7) "Donor", an individual whose body or part is the subject of an anatomical gift provided that donor does not include an unborn child as defined in section 1.205 or section 188.015 if the child has not died of natural causes;

[(9)] (8) "Donor registry", a database that contains records of anatomical gifts and amendments to or revocations of anatomical gifts;

[(10)] (9) "Driver's license", a license or permit issued by the department of revenue to operate a vehicle whether or not conditions are attached to the license or permit;

[(11)] (10) "Eye bank", a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of human eyes or portions of human eyes;

[(12)] (11) "Guardian", a person appointed by a court pursuant to chapter 475. The term does not include a guardian ad litem;

[(13)] (12) "Hospital", a facility licensed as a hospital under the laws of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state;

[(14)] (13) "Identification card", an identification card issued by the department of revenue;

[(15)] (14) "Know", to have actual knowledge;

[(16)] (15) "Minor", an individual who is under eighteen years of age;

[(17)] (16) "Organ procurement organization", [a person] an entity designated by the United States Secretary of Health and Human Services as an organ procurement organization;

[(18)] (17) "Parent", a parent whose parental rights have not been terminated;

[(19)] (18) "Part", an organ, an eye, or tissue of a human being. The term does not include the whole body;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

~~[(20)]~~ (19) "Person", an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity;

~~[(21)]~~ (20) "Physician", an individual authorized to practice medicine or osteopathy under the laws of any state;

(21) "Potential donor", an individual whose body or part is the subject of an anatomical gift, provided that donor does not include an unborn child, as defined in section 188.015, if the child has not died of natural causes;

(22) "Procurement organization", an eye bank, organ procurement organization, ~~[or]~~ tissue bank, or an entity lawfully established and operated for the procurement and distribution of anatomical gifts to be used as donated organs, donated tissues, or for appropriate scientific or medical research;

(23) "Prospective donor", an individual who is dead or near death and has been determined by a procurement organization to have a part that could be medically suitable for transplantation, therapy, research, or education. The term does not include an individual who has made a refusal;

(24) "Reasonably available", able to be contacted by a procurement organization with reasonable effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift;

(25) "Recipient", an individual into whose body a decedent's part has been or is intended to be transplanted;

(26) "Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(27) "Refusal", a record created under section 194.235 that expressly states an intent to bar other persons from making an anatomical gift of an individual's body or part;

(28) "Sign", with the present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach or logically associate with the record an electronic symbol, sound, or process;

(29) "State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the United States;

(30) "Technician", an individual determined to be qualified to remove or process parts by an appropriate organization that is licensed, accredited, or regulated under federal or state law. The term includes an eye enucleator;

(31) "Tissue", a portion of the human body other than an organ or an eye. The term does not include blood unless the blood is donated for purposes of research or education;

(32) "Tissue bank", a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue;

(33) "Transplant hospital", a hospital that furnishes organ transplants and other medical and surgical specialty services required for the care of transplant patients.

194.255. PERSONS ELIGIBLE TO RECEIVE GIFT IN THE DOCUMENT OF GIFT — GIFTS NOT NAMING PERSONS, EFFECT OF — REFUSAL OF GIFT REQUIRED WHEN. — 1. An anatomical gift may be made to the following persons named in the document of gift:

(1) A hospital, accredited medical school, dental school, college, university, or ~~[organ]~~ procurement organization, ~~[cadaver procurement organization,]~~ or other appropriate person for appropriate scientific or medical research or education;

(2) Subject to subsection 2 of this section, an individual designated by the person making the anatomical gift if the individual is the recipient of the part; or

(3) An eye bank or tissue bank.

2. If an anatomical gift to an individual under subdivision (2) of subsection 1 of this section cannot be transplanted into the individual, the part passes in accordance with subsection 7 of this section in the absence of an express, contrary indication by the person making the anatomical gift.

3. If an anatomical gift of one or more specific parts or of all parts is made in a document of gift that does not name a person described in subsection 1 of this section but identifies the purpose for which an anatomical gift may be used, the following rules apply:

(1) If the part is an eye and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate eye bank;

(2) If the part is tissue and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate tissue bank;

(3) If the part is an organ and the gift is for the purpose of transplantation or therapy, the gift passes to the appropriate organ procurement organization as custodian of the organ;

(4) If the part is an organ, an eye, or tissue and the gift is for the purpose of research or education, the gift passes to the appropriate procurement organization.

4. For the purpose of subsection 3 of this section, if there is more than one purpose of an anatomical gift set forth in the document of gift but the purposes are not set forth in any priority, the gift must be used for transplantation or therapy if suitable. If the gift cannot be used for transplantation or therapy, the gift may be used for research or education.

5. If an anatomical gift of one or more specific parts is made in a document of gift that does not name a person described in subsection 1 of this section and does not identify the purpose of the gift, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection 7 of this section.

6. If a document of gift specifies only a general intent to make an anatomical gift by words such as "donor", "organ donor", or "body donor", or by a symbol or statement of similar import, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection 7 of this section.

7. For purposes of subsections 2, 5, and 6 of this section, the following rules apply:

(1) If the part is an eye, the gift passes to the appropriate eye bank;

(2) If the part is tissue, the gift passes to the appropriate tissue bank;

(3) If the part is an organ, the gift passes to the appropriate organ procurement organization as custodian of the organ;

(4) If the gift is medically unsuitable for transplantation or therapy, the gift may be used for appropriate scientific or medical research or education and pass to the appropriate procurement organization ~~[or cadaver procurement organization]~~.

8. An anatomical gift of an organ for transplantation or therapy, other than an anatomical gift under subdivision (2) of subsection 1 of this section, passes to the organ procurement organization as custodian of the organ.

9. If an anatomical gift does not pass under subsections 1 through 8 of this section or the decedent's body or part is not used for transplantation, therapy, research, or education, custody of the body or part passes to the person under obligation to dispose of the body or part.

10. A person may not accept an anatomical gift if the person knows that the gift was not effectively made under section 194.225 or 194.250 or if the person knows that the decedent made a refusal under section 194.235 that was not revoked. For purposes of this subsection, if a person knows that an anatomical gift was made on a document of gift, the person is deemed to know of any amendment or revocation of the gift or any refusal to make an anatomical gift on the same document of gift.

11. A person may not accept an anatomical gift if the person knows that the gift is from the body of an executed prisoner from another country.

12. Except as otherwise provided in subdivision (2) of subsection 1 of this section, nothing in this act affects the allocation of organs for transplantation or therapy.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

194.265. REFERRAL TO PROCUREMENT ORGANIZATION, DILIGENT SEARCH OF DONOR REGISTRY REQUIRED — REASONABLE EXAMINATION OF BODY PARTS PERMITTED, WHEN — SEARCH FOR MINOR'S PARENTS REQUIRED, WHEN — ATTENDING PHYSICIAN SHALL NOT PROCURE, WHEN. — 1. When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of any donor registry and other applicable records that it knows exist for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

2. A procurement organization must be allowed reasonable access to information in the records of the department of health and senior services and department of revenue to ascertain whether an individual at or near death is a donor.

3. When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor, potential donor, or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows a contrary intent had or has been expressed by the individual or an agent of the individual, or if the individual is incapacitated and he or she has no agent, knows a contrary intent has been expressed by any person listed in section 194.245 having priority to make an anatomical gift on behalf of the individual.

4. Unless prohibited by law other than sections 194.210 to 194.294, at any time after a donor's death, the person to which a part passes under section 194.255 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

5. Unless prohibited by law other than sections 194.210 to 194.294, an examination under subsection 3 or 4 of this section may include an examination of all medical records of the donor, potential donor, or prospective donor.

6. Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke a refusal.

7. Upon referral by a hospital under subsection 1 of this section, a procurement organization shall make a reasonable search for any person listed in section 194.245 having priority to make an anatomical gift on behalf of a donor, potential donor, or prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

8. Subject to subsection 9 of section 194.255 and section 58.785, the rights of the person to which a part passes under section 194.255 are superior to rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and this act, a person that accepts an anatomical gift of an entire body may allow embalming or cremation and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under section 194.255, upon the death of the donor and before embalming, burial, or cremation, shall cause the part to be removed without unnecessary mutilation.

9. Neither the physician who attends the decedent immediately prior to or at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.

10. No physician who removes or transplants a part from the decedent, or a procurement organization, shall have primary responsibility for the health care treatment, or health care decision-making for such individual's terminal condition during the hospitalization for which the individual becomes a donor.

11. A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

194.285. IMMUNITY FROM LIABILITY, WHEN. — 1. A person that acts in accordance with sections 194.210 to 194.294 or with the applicable anatomical gift law of another state that is not inconsistent with the provisions of sections 194.210 to 194.294 or attempts without negligence and in good faith to do so is not liable for the act in any civil action, criminal, or administrative proceeding.

2. Neither the person making an anatomical gift nor the donor's estate is liable for any injury or damage that results from the making or use of the gift.

3. In determining whether an anatomical gift has been made, amended, or revoked under sections 194.210 to 194.294, a person may rely upon representations of individuals listed in subdivision (2), (3), (4), (5), (6), (7), or (8) of subsection 1 of section 194.245 relating to the individual's relationship to the donor, potential donor, or prospective donor unless the person knows that representation is untrue.

194.290. DECLARATIONS AND ADVANCE HEALTH CARE DIRECTIVES — DEFINITIONS — GIFT IN CONFLICT WITH, DONOR OR PHYSICIAN TO RESOLVE. — 1. As used in this section, the following terms mean:

(1) "Advance health-care directive", a power of attorney for health care or a record signed or authorized by a donor, potential donor, or prospective donor, containing the [prospective] donor's direction concerning a health-care decision for the [prospective] donor;

(2) "Declaration", a record, including but not limited to a living will, or a do-not-resuscitate order, signed by a donor, potential donor, or prospective donor specifying the circumstances under which a life support system may be withheld or withdrawn;

(3) "Health-care decision", any decision regarding the health care of the donor, potential donor, or prospective donor.

2. If a donor, potential donor, or prospective donor has a declaration or advance health-care directive and the terms of the declaration or directive and the express or implied terms of a potential anatomical gift are in conflict with regard to the administration of measures necessary to ensure the medical suitability of a part for transplantation or therapy, the [prospective] donor's attending physician and [prospective] donor shall confer to resolve the conflict. If the donor, potential donor, or prospective donor is incapable of resolving the conflict, an agent acting under the [prospective] donor's declaration or directive or, if none or the agent is not reasonably available, another person authorized by law to make health-care decisions on behalf of the [prospective] donor shall act for the donor to resolve the conflict. The conflict must be resolved as expeditiously as possible. Information relevant to the resolution of the conflict may be obtained from the appropriate procurement organization and any other person authorized to make an anatomical gift for the prospective donor under section 194.245. Before the resolution of the conflict, measures necessary to ensure the medical suitability of an organ for transplantation or therapy may not be withheld or withdrawn from the donor, potential donor, or prospective donor if withholding or withdrawing the measures is not contraindicated by appropriate end-of-life care.

194.297. ORGAN DONOR PROGRAM FUND ESTABLISHED — FUNDING, ADMINISTRATION, PURPOSE — TRANSFER TO GENERAL REVENUE PROHIBITED. — 1. There is established in the state treasury the "Organ Donor Program Fund"[, which shall consist of all moneys deposited by the director of revenue pursuant to subsection 2 of section 302.171 and any other moneys donated or appropriated to the fund]. The state treasurer shall credit to and deposit in the organ donor program fund all amounts received under sections 301.020, 301.3125, and subsection 2 of section 302.171, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given. Funds shall be used for implementing efforts that support or provide organ, eye, and tissue

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donation education awareness, recognition, training, and registry efforts unless designated for a specific purpose as outlined in subsection 4 of this section. Funds may be used to support expenses incurred by organ donation advisory committee members pursuant to section 194.300.

2. The department of health and senior services may pursue funding to support programmatic efforts and initiatives as outlined in subsection 1 of this section.

3. The state treasurer shall invest any funds in excess of five hundred thousand dollars in the organ donor program fund not required for immediate disbursement or program allocation in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investment of money in the organ donor program fund shall be credited to the organ donor program fund.

4. The organ donor program fund can accept gifts, grants, appropriations, or contributions from any source, public or private, including contributions from sections 301.020, 301.3125, and 302.171, and individuals, private organizations and foundations, and bequests. Private contributions, grants, and federal funds may be used and expended by the department for such purposes as may be specified in any requirements, terms, or conditions attached thereto or, in the absence of any specific requirements, terms, or conditions, as the department may determine for purposes outlined in subsection 1 of this section.

5. The acceptance and use of federal funds shall not commit any state funds, nor place any obligation upon the general assembly to continue the programs or activities outlined in the federal fund award for which the federal funds are available.

6. The state treasurer shall administer the fund, and the moneys in the fund shall be used solely, upon appropriation, by the department [of health and senior services, in consultation]. The department may consult with the organ donation advisory committee], for implementation of organ donation awareness programs in the manner prescribed in subsection 2 of section 194.300] about the implementation of programming and related expenditures.

7. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the organ donor program fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. There shall be no money appropriated from general revenue to administer the fund in the event the fund cannot sustain itself.

194.299. MONEY IN ORGAN DONOR PROGRAM FUND, HOW EXPENDED. — The moneys in the organ donor program fund shall be expended as follows:

(1) [Grants by] The department of health and senior services [to] may enter into contracts with certified organ procurement organizations, other organizations, individuals, and institutions for services furthering the development and implementation of organ donation awareness programs in this state;

(2) Education and awareness initiatives, donor family recognition efforts, training, strategic planning efforts, and registry initiatives;

(3) Publication of informational pamphlets or booklets by the department of health and senior services and the advisory committee regarding organ donations and donations to the organ donor program fund when obtaining or renewing a license to operate a motor vehicle pursuant to subsection 2 of section 302.171;

[(3)] (4) Maintenance of a central registry of potential organ, eye, and tissue donors pursuant to subsection 1 of section 194.304; [and

(4)] (5) Implementation of organ donation awareness programs in the secondary schools of this state by the department of elementary and secondary education; and

(6) Reimbursements for reasonable and necessary expenses incurred by advisory committee members pursuant to subsection 2 of section 194.300.

194.304. TRANSFER OF DONOR REGISTRY INFORMATION, DEPARTMENT OF REVENUE TO COOPERATE — REGISTRY REQUIREMENTS. — 1. The department of revenue shall cooperate with

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any donor registry that this state establishes, contracts for, or recognizes for the purpose of transferring to the donor registry all relevant information regarding a donor's making, amendment to, or revocation of an anatomical gift.

2. A first person consent organ and tissue donor registry shall:

(1) Allow a donor, potential donor, prospective donor, or other person authorized under section 194.220 to include on the donor registry a statement or symbol that the donor has made, amended, or revoked an anatomical gift;

(2) Be accessible to a procurement organization to allow it to obtain relevant information on the donor registry to determine, at or near death of the donor, potential donor, or [a] prospective donor, whether the donor [or prospective donor] has made, amended, or revoked an anatomical gift; and

(3) Be accessible for purposes of subdivisions (1) and (2) of this subsection seven days a week on a twenty-four-hour basis.

3. Personally identifiable information on [a first person consent organ and tissue] the donor registry about a donor, potential donor, or prospective donor may not be used or disclosed without the express consent of the donor~~], prospective donor,~~ or the person [that] who made the anatomical gift for any purpose other than to determine, at or near death of the donor [or a prospective donor], whether the donor [or prospective donor] has made, amended, or revoked an anatomical gift.

194.321. RECIPIENTS AND DONORS, COVID-19 VACCINATION STATUS NOT TO BE CONSIDERED, WHEN, EXCEPTION. — 1. For purposes of this section, the following terms mean:

(1) "COVID-19 vaccination status", an indication of whether a person has received a vaccination against COVID-19;

(2) "Hospital", the same meaning given to the term in section 197.020;

(3) "Procurement organization", the same meaning given to the term in section 194.210.

2. Except if the organ being transplanted is a lung, no hospital, physician, procurement organization, or other person shall consider the COVID-19 vaccination status of a potential organ transplant recipient or potential organ donor in any part of the organ transplant process including, but not limited to:

(1) The referral of a patient to be considered for a transplant;

(2) The evaluation of a patient for a transplant;

(3) The consideration of a patient for placement on a waiting list;

(4) A patient's particular position on a waiting list; and

(5) The evaluation of a potential donor to determine his or her suitability as an organ donor.

197.100. INSPECTIONS BY DEPARTMENT OF HEALTH AND SENIOR SERVICES REQUIRED, REPORTS FROM CERTAIN OTHER AGENCIES ACCEPTED, WHEN — DEPARTMENT TO DETERMINE LIFE, SAFETY, AND BUILDING CODES. — 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall [annually] inspect each licensed hospital in accordance with Title XVIII of the Social Security Act and shall make any other inspections and investigations as it deems necessary for good cause shown. The department of health and senior services shall accept reports of hospital inspections from or on behalf of governmental agencies, the joint commission, and the American Osteopathic Association Healthcare Facilities Accreditation Program, provided the accreditation inspection was conducted within one year of the date of license renewal. Prior to granting acceptance of any other accrediting organization reports in lieu of the required licensure survey, the accrediting organization's survey process must be deemed appropriate and found to be comparable to the department's licensure survey. It shall be the accrediting

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organization's responsibility to provide the department any and all information necessary to determine if the accrediting organization's survey process is comparable and fully meets the intent of the licensure regulations. The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety-related matters so long as any new standards shall apply only to new construction.

197.256. RENEWAL, WHEN REQUIRED, FORM, FEE — SURVEY, APPROVAL, RENEWAL OF CERTIFICATE — CERTIFICATE NOT RENEWED IS VOID — STATISTICAL REPORTS REQUIRED.

— 1. A hospice shall apply for renewal of its certificate not less than once every twelve months. In addition, such hospice shall apply for renewal not less than thirty days before any change in ownership or management of the hospice. Such application shall be accompanied by the appropriate fee as set forth in subsection 1 of section 197.254. Application shall be made upon a form prescribed by the department.

2. Upon receipt of the application and fee, if a fee is required, the department [shall] may conduct a survey to evaluate the quality of services rendered by an applicant for renewal. The department shall inspect each licensed facility in accordance with Title XVIII of the Social Security Act and approve the application and renew the certificate of any applicant which is in compliance with sections 197.250 to 197.280 and the rules made pursuant thereto and which passes the department's survey.

3. The certificate of any hospice which has not been renewed as required by this section shall be void.

4. The department shall require all certificated hospices to submit statistical reports. The content, format, and frequency of such reports shall be prescribed by the department.

197.258. DEPARTMENT AUTHORIZED TO MAKE SURVEYS, WHEN REQUIRED — VISITING OF HOMES — SURVEY OF OTHER GOVERNMENTAL AGENCY, REQUIREMENTS — RECIPROCAL AGREEMENTS WITH BORDERING STATES — MAINTENANCE OF BRANCH OFFICE IN MISSOURI REQUIRED, WHEN.

— 1. In addition to any survey pursuant to sections 197.250 to 197.280, the department may make such surveys as it deems necessary during normal business hours. The department shall survey every hospice [not less than once annually] in accordance with Title XVIII of the Social Security Act. The hospice shall permit the department's representatives to enter upon any of its business premises during normal business hours for the purpose of a survey.

2. As a part of its survey of a hospice, the department may visit the home of any client of such hospice with such client's consent.

3. In lieu of any survey required by sections 197.250 to 197.280, the department may accept in whole or in part the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) Is conducted [within one year of initial application] in accordance with Title XVIII of the Social Security Act for initial application or renewal of the hospice's certificate.

4. The department shall not be required to survey any hospice providing service to Missouri residents through an office located in a state bordering Missouri if such bordering state has a reciprocal

agreement with Missouri on hospice certification and the area served in Missouri by the agency is contiguous to the area served in the bordering state.

5. Any hospice which has its parent office in a state which does not have a reciprocal agreement with Missouri on hospice certification shall maintain a branch office in Missouri. Such branch office shall maintain all records required by the department for survey and shall be certificated as a hospice.

197.400. DEFINITIONS. — As used in sections 197.400 to 197.475, unless the context otherwise requires, the following terms mean:

- (1) "Council", the home health services advisory council created by sections 197.400 to 197.475;
- (2) "Department", the department of health and senior services;
- (3) "Home health agency", a public agency or private organization or a subdivision or subunit of an agency or organization that provides two or more home health services at the residence of a patient according to a [physician's] written [and signed] plan of treatment signed by a physician, nurse practitioner, clinical nurse specialist, or physician assistant;
- (4) "Home health services", any of the following items and services provided at the residence of the patient on a part-time or intermittent basis: nursing, physical therapy, speech therapy, occupational therapy, home health aid, or medical social service;
- (5) "Nurse practitioner, clinical nurse specialist", a person recognized by the state board of nursing pursuant to the provisions of chapter 335 to practice in this state as a nurse practitioner or clinical nurse specialist;
- (6) "Part-time or intermittent basis", the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;
- ~~[(6)]~~ (7) "Patient's residence", the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;
- ~~[(7)]~~ (8) "Physician", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician and surgeon;
- (9) "Physician assistant", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334 to practice in this state as a physician assistant;
- ~~[(8)]~~ (10) "Plan of treatment", a plan reviewed and signed as often as [medically] necessary by a physician [or], podiatrist, nurse practitioner, clinical nurse specialist, or a physician assistant, not to exceed sixty days in duration, and reviewed by a physician at least once every six months, prescribing items and services for an individual patient's condition;
- ~~[(9)]~~ (11) "Podiatrist", a person licensed by the state board of podiatry pursuant to the provisions of chapter 330 to practice in this state as a podiatrist;
- ~~[(10)]~~ (12) "Subunit" or "subdivision", any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of sections 197.400 to 197.475 independent of the larger organization, which can be held accountable for the care of patients it is serving, and which provides to all patients care and services meeting the standards and requirements of sections 197.400 to 197.475.

197.415. LICENSE ISSUED OR RENEWED, REQUIREMENTS. — 1. The department shall review the applications and shall issue a license to applicants who have complied with the requirements of sections 197.400 to 197.475 and have received approval of the department.

2. A license shall be renewed annually upon approval of the department when the following conditions have been met:

- (1) The application for renewal is accompanied by a six-hundred-dollar license fee;
- (2) The home health agency is in compliance with the requirements established pursuant to the provisions of sections 197.400 to 197.475 as evidenced by [a survey] an inspection by the department which shall occur[at least every thirty-six months for agencies that have been in operation thirty-six

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consecutive months from initial inspection. The frequency of inspections for agencies in operation at least thirty-six consecutive months from the initial inspection shall be determined by such factors as number of complaints received and changes in management, supervision or ownership. The frequency of each survey inspection for any agency in operation less than thirty-six consecutive months from the initial inspection shall occur and be conducted at least every twelve months] in accordance with Title XVIII of the Social Security Act;

(3) The application is accompanied by a statement of any changes in the information previously filed with the department pursuant to section 197.410.

3. Each license shall be issued only for the home health agency listed in the application. Licenses shall be posted in a conspicuous place in the main offices of the licensed home health agency.

4. In lieu of any survey required by sections 197.400 to 197.475, the department may accept in whole or in part written reports of the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) Is conducted [within one year of initial application or within thirty-six months for the renewal of the home health license] in accordance with Title XVIII of the Social Security Act as required by subdivision (2) of subsection 2 of this section.

197.445. RULES AND REGULATIONS, PROCEDURE. — 1. The department may adopt reasonable rules and standards necessary to carry out the provisions of sections 197.400 to 197.477. The rules and standards adopted shall not be less than the standards established by the federal government for home health agencies under Title XVIII of the Federal Social Security Act. The reasonable rules and standards shall be initially promulgated within one year of September 28, 1983.

2. The rules and standards adopted by the department pursuant to the provisions of sections 197.400 to 197.477 shall apply to all health services covered by sections 197.400 to 197.477 rendered to any patient being served by a home health agency regardless of source of payment for the service, patient's condition, or place of residence, at which the home health services are ordered by the physician [or], podiatrist, nurse practitioner, clinical nurse specialist, or physician assistant. No rule or portion of a rule promulgated pursuant to the authority of sections 197.400 to 197.477 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

198.006. DEFINITIONS. — As used in sections 198.003 to 198.186, unless the context clearly indicates otherwise, the following terms mean:

(1) "Abuse", the infliction of physical, sexual, or emotional injury or harm;

(2) "Activities of daily living" or "ADL", one or more of the following activities of daily living:

(a) Eating;

(b) Dressing;

(c) Bathing;

(d) Toileting;

(e) Transferring; and

(f) Walking;

(3) "Administrator", the person who is in general administrative charge of a facility;

(4) "Affiliate":

(a) With respect to a partnership, each partner thereof;

(b) With respect to a limited partnership, the general partner and each limited partner with an interest of five percent or more in the limited partnership;

(c) With respect to a corporation, each person who owns, holds or has the power to vote five percent or more of any class of securities issued by the corporation, and each officer and director;

(d) With respect to a natural person, any parent, child, sibling, or spouse of that person;

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(5) "Appropriately trained and qualified individual", an individual who is licensed or registered with the state of Missouri in a health care-related field or an individual with a degree in a health care-related field or an individual with a degree in a health care, social services, or human services field or an individual licensed under chapter 344 and who has received facility orientation training under 19 CSR [30-86042(18)] 30-86.047, and dementia training under section 192.2000 and twenty-four hours of additional training, approved by the department, consisting of definition and assessment of activities of daily living, assessment of cognitive ability, service planning, and interview skills;

(6) "Assisted living facility", any premises, other than a residential care facility, intermediate care facility, or skilled nursing facility, that is utilized by its owner, operator, or manager to provide twenty-four-hour care and services and protective oversight to three or more residents who are provided with shelter, board, and who may need and are provided with the following:

- (a) Assistance with any activities of daily living and any instrumental activities of daily living;
- (b) Storage, distribution, or administration of medications; and
- (c) Supervision of health care under the direction of a licensed physician, provided that such services are consistent with a social model of care;

Such term shall not include a facility where all of the residents are related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility;

(7) "Community-based assessment", documented basic information and analysis provided by appropriately trained and qualified individuals describing an individual's abilities and needs in activities of daily living, instrumental activities of daily living, vision/hearing, nutrition, social participation and support, and cognitive functioning using an assessment tool approved by the department of health and senior services that is designed for community-based services and that is not the nursing home minimum data set;

(8) "Dementia", a general term for the loss of thinking, remembering, and reasoning so severe that it interferes with an individual's daily functioning, and may cause symptoms that include changes in personality, mood, and behavior;

(9) "Department", the Missouri department of health and senior services;

(10) "Emergency", a situation, physical condition or one or more practices, methods or operations which presents imminent danger of death or serious physical or mental harm to residents of a facility;

(11) "Facility", any residential care facility, assisted living facility, intermediate care facility, or skilled nursing facility;

(12) "Health care provider", any person providing health care services or goods to residents and who receives funds in payment for such goods or services under Medicaid;

(13) "Instrumental activities of daily living", or "IADL", one or more of the following activities:

- (a) Preparing meals;
- (b) Shopping for personal items;
- (c) Medication management;
- (d) Managing money;
- (e) Using the telephone;
- (f) Housework; and
- (g) Transportation ability;

(14) "Intermediate care facility", any premises, other than a residential care facility, assisted living facility, or skilled nursing facility, which is utilized by its owner, operator, or manager to provide twenty-four-hour accommodation, board, personal care, and basic health and nursing care services under the daily supervision of a licensed nurse and under the direction of a licensed physician to three or more residents dependent for care and supervision and who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility;

(15) "Manager", any person other than the administrator of a facility who contracts or otherwise agrees with an owner or operator to supervise the general operation of a facility, providing such services as hiring and training personnel, purchasing supplies, keeping financial records, and making reports;

(16) "Medicaid", medical assistance under section 208.151, et seq., in compliance with Title XIX, Public Law 89-97, 1965 amendments to the Social Security Act (42 U.S.C. 301, et seq.), as amended;

(17) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a resident in a facility, the services which are reasonable and necessary to maintain the physical and mental health of the resident, when such failure presents either an imminent danger to the health, safety or welfare of the resident or a substantial probability that death or serious physical harm would result;

(18) "Operator", any person licensed or required to be licensed under the provisions of sections 198.003 to 198.096 in order to establish, conduct or maintain a facility;

(19) "Owner", any person who owns an interest of five percent or more in:

(a) The land on which any facility is located;

(b) The structure or structures in which any facility is located;

(c) Any mortgage, contract for deed, or other obligation secured in whole or in part by the land or structure in or on which a facility is located; or

(d) Any lease or sublease of the land or structure in or on which a facility is located.

Owner does not include a holder of a debenture or bond purchased at public issue nor does it include any regulated lender unless the entity or person directly or through a subsidiary operates a facility;

(20) "Protective oversight", an awareness twenty-four hours a day of the location of a resident, the ability to intervene on behalf of the resident, the supervision of nutrition, medication, or actual provisions of care, and the responsibility for the welfare of the resident, except where the resident is on voluntary leave;

(21) "Resident", a person who by reason of aging, illness, disease, or physical or mental infirmity receives or requires care and services furnished by a facility and who resides or boards in or is otherwise kept, cared for, treated or accommodated in such facility for a period exceeding twenty-four consecutive hours;

(22) "Residential care facility", any premises, other than an assisted living facility, intermediate care facility, or skilled nursing facility, which is utilized by its owner, operator or manager to provide twenty-four-hour care to three or more residents, who are not related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility and who need or are provided with shelter, board, and with protective oversight, which may include storage and distribution or administration of medications and care during short-term illness or recuperation, except that, for purposes of receiving supplemental welfare assistance payments under section 208.030, only any residential care facility licensed as a residential care facility II immediately prior to August 28, 2006, and that continues to meet such licensure requirements for a residential care facility II licensed immediately prior to August 28, 2006, shall continue to receive after August 28, 2006, the payment amount allocated immediately prior to August 28, 2006, for a residential care facility II under section 208.030;

(23) "Skilled nursing facility", any premises, other than a residential care facility, an assisted living facility, or an intermediate care facility, which is utilized by its owner, operator or manager to provide for twenty-four-hour accommodation, board and skilled nursing care and treatment services to at least three residents who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility. Skilled nursing care and treatment services are those services commonly performed by or under the supervision of a registered professional nurse for individuals requiring twenty-four-hours-a-day care by licensed nursing personnel including acts of observation, care and counsel of the aged, ill, injured or infirm, the administration of medications and treatments as

prescribed by a licensed physician or dentist, and other nursing functions requiring substantial specialized judgment and skill;

(24) "Social model of care", long-term care services based on the abilities, desires, and functional needs of the individual delivered in a setting that is more home-like than institutional and promotes the dignity, individuality, privacy, independence, and autonomy of the individual. Any facility licensed as a residential care facility II prior to August 28, 2006, shall qualify as being more home-like than institutional with respect to construction and physical plant standards;

(25) "Vendor", any person selling goods or services to a health care provider;

(26) "Voluntary leave", an off-premise leave initiated by:

(a) A resident that has not been declared mentally incompetent or incapacitated by a court; or

(b) A legal guardian of a resident that has been declared mentally incompetent or incapacitated by a court.

198.022. DUTY OF DEPARTMENT ON RECEIPT OF APPLICATION — DUTY UPON DENIAL — DEPARTMENT MAY COPY RECORDS AT ITS EXPENSE — REMOVAL OF RECORDS PROHIBITED — INSPECTION, WHEN — COURT ORDER TO INSPECT — OUT-OF-STATE APPLICANTS, COMPLIANCE HISTORY MAY BE REQUESTED. — 1. Upon receipt of an application for a license to operate a facility, the department shall review the application, investigate the applicant and the statements sworn to in the application for license and conduct any necessary inspections. A license shall be issued if the following requirements are met:

(1) The statements in the application are true and correct;

(2) The facility and the operator are in substantial compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder;

(3) The applicant has the financial capacity to operate the facility;

(4) The administrator of an assisted living facility, a skilled nursing facility, or an intermediate care facility is currently licensed under the provisions of chapter 344;

(5) Neither the operator nor any principals in the operation of the facility have ever been convicted of a felony offense concerning the operation of a long-term health care facility or other health care facility or ever knowingly acted or knowingly failed to perform any duty which materially and adversely affected the health, safety, welfare or property of a resident, while acting in a management capacity. The operator of the facility or any principal in the operation of the facility shall not be under exclusion from participation in the Title XVIII (Medicare) or Title XIX (Medicaid) program of any state or territory;

(6) Neither the operator nor any principals involved in the operation of the facility have ever been convicted of a felony in any state or federal court arising out of conduct involving either management of a long-term care facility or the provision or receipt of health care;

(7) All fees due to the state have been paid.

2. Upon denial of any application for a license, the department shall so notify the applicant in writing, setting forth therein the reasons and grounds for denial.

3. The department may inspect any facility and any records and may make copies of records, at the facility, at the department's own expense, required to be maintained by sections 198.003 to 198.096 or by the rules and regulations promulgated thereunder at any time if a license has been issued to or an application for a license has been filed by the operator of such facility. Copies of any records requested by the department shall be prepared by the staff of such facility within two business days or as determined by the department. The department shall not remove or disassemble any medical record during any inspection of the facility, but may observe the photocopying or may make its own copies if the facility does not have the technology to make the copies. In accordance with the provisions of section 198.525, the department shall make at least [two inspections] one inspection per year, [at least one of] which shall be unannounced to the operator. The department may make such other inspections,

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announced or unannounced, as it deems necessary to carry out the provisions of sections 198.003 to 198.136.

4. Whenever the department has reasonable grounds to believe that a facility required to be licensed under sections 198.003 to 198.096 is operating without a license, and the department is not permitted access to inspect the facility, or when a licensed operator refuses to permit access to the department to inspect the facility, the department shall apply to the circuit court of the county in which the premises is located for an order authorizing entry for such inspection, and the court shall issue the order if it finds reasonable grounds for inspection or if it finds that a licensed operator has refused to permit the department access to inspect the facility.

5. Whenever the department is inspecting a facility in response to an application from an operator located outside of Missouri not previously licensed by the department, the department may request from the applicant the past five years compliance history of all facilities owned by the applicant located outside of this state.

198.026. NONCOMPLIANCE, HOW DETERMINED — PROCEDURE TO CORRECT — NOTICE — REINSPECTION — PROBATIONARY LICENSE. — 1. Whenever a duly authorized representative of the department finds upon an inspection of a facility that it is not in compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder, the operator or administrator shall be informed of the deficiencies in an exit interview conducted with the operator or administrator, or his or her designee. The department shall inform the operator or administrator, in writing, of any violation of a class I standard at the time the determination is made. A written report shall be prepared of any deficiency for which there has not been prompt remedial action, and a copy of such report and a written correction order shall be sent to the operator or administrator by [certified mail or other] a delivery service that provides a dated receipt of delivery [at the facility address] within ten working days after the inspection, stating separately each deficiency and the specific statute or regulation violated.

2. The operator or administrator shall have five working days following receipt of a written report and correction order regarding a violation of a class I standard and ten working days following receipt of the report and correction order regarding violations of class II or class III standards to request any conference and to submit a plan of correction for the department's approval which contains specific dates for achieving compliance. Within five working days after receiving a plan of correction regarding a violation of a class I standard and within ten working days after receiving a plan of correction regarding a violation of a class II or III standard, the department shall give its written approval or rejection of the plan. If there was a violation of any class I standard, immediate corrective action shall be taken by the operator or administrator and a written plan of correction shall be submitted to the department. The department shall give its written approval or rejection of the plan and if the plan is acceptable, a reinspection shall be conducted within twenty calendar days of the exit interview to determine if deficiencies have been corrected. If there was a violation of any class II standard and the plan of correction is acceptable, an unannounced reinspection shall be conducted between forty and ninety calendar days from the date of the exit conference to determine the status of all previously cited deficiencies. If there was a violation of class III standards sufficient to establish that the facility was not in substantial compliance, an unannounced reinspection shall be conducted within one hundred twenty days of the exit interview to determine the status of previously identified deficiencies.

3. If, following the reinspection, the facility is found not in substantial compliance with sections 198.003 to 198.096 and the standards established thereunder or the operator is not correcting the noncompliance in accordance with the approved plan of correction, the department shall issue a notice of noncompliance, which shall be sent by [certified mail or other] a delivery service that provides a dated receipt of delivery to [each person disclosed to be an owner or] the operator or administrator of the facility, according to the most recent information or documents on file with the department.

4. The notice of noncompliance shall inform the operator or administrator that the department may seek the imposition of any of the sanctions and remedies provided for in section 198.067, or any other action authorized by law.

5. At any time after an inspection is conducted, the operator may choose to enter into a consent agreement with the department to obtain a probationary license. The consent agreement shall include a provision that the operator will voluntarily surrender the license if substantial compliance is not reached in accordance with the terms and deadlines established under the agreement. The agreement shall specify the stages, actions and time span to achieve substantial compliance.

6. Whenever a notice of noncompliance has been issued, the operator shall post a copy of the notice of noncompliance and a copy of the most recent inspection report in a conspicuous location in the facility, and the department shall send a copy of the notice of noncompliance to the department of social services, the department of mental health, and any other concerned federal, state or local governmental agencies.

198.036. REVOCATION OF LICENSE — GROUNDS — NOTICE REQUIRED. — 1. The department may revoke a license in any case in which it finds that:

(1) The operator failed or refused to comply with class I or II standards, as established by the department pursuant to section 198.085; or failed or refused to comply with class III standards as established by the department pursuant to section 198.085, where the aggregate effect of such noncompliances presents either an imminent danger to the health, safety or welfare of any resident or a substantial probability that death or serious physical harm would result;

(2) The operator refused to allow representatives of the department to inspect the facility for compliance with standards or denied representatives of the department access to residents and employees necessary to carry out the duties set forth in this chapter and rules promulgated thereunder, except where employees of the facility are in the process of rendering immediate care to a resident of such facility;

(3) The operator knowingly acted or knowingly omitted any duty in a manner which would materially and adversely affect the health, safety, welfare or property of a resident;

(4) The operator demonstrated financial incapacity to operate and conduct the facility in accordance with the provisions of sections 198.003 to 198.096;

(5) The operator or any principals in the operation of the facility have ever been convicted of, or pled guilty or nolo contendere to a felony offense concerning the operation of a long-term health care facility or other health care facility, or ever knowingly acted or knowingly failed to perform any duty which materially and adversely affected the health, safety, welfare, or property of a resident while acting in a management capacity. The operator of the facility or any principal in the operation of the facility shall not be under exclusion from participation in the Title XVIII (Medicare) or Title XIX (Medicaid) program of any state or territory; or

(6) The operator or any principals involved in the operation of the facility have ever been convicted of or pled guilty or nolo contendere to a felony in any state or federal court arising out of conduct involving either management of a long-term care facility or the provision or receipt of health care.

2. Nothing in subdivision (2) of subsection 1 of this section shall be construed as allowing the department access to information not necessary to carry out the duties set forth in sections 198.006 to 198.186.

3. Upon revocation of a license, the director of the department shall so notify the operator in writing, setting forth the reason and grounds for the revocation. Notice of such revocation shall be sent [either by certified mail, return receipt requested,] by a delivery service that provides a dated receipt of delivery to the operator [at the address of the facility] and administrator, or served personally upon the operator and administrator. The department shall provide the operator notice of such revocation at least ten days prior to its effective date.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

198.525. INSPECTION OF CERTAIN LONG-TERM CARE FACILITIES, WHEN — RESTRICTIONS ON SURVEYORS, REQUIRED DISCLOSURES — IMMEDIATE FAMILY MEMBER DEFINED — CONFLICT OF INTEREST, WHEN. — 1. [Except as otherwise provided pursuant to section 198.526,] In order to comply with sections 198.012 and 198.022, the department of health and senior services shall inspect residential care facilities, assisted living facilities, intermediate care facilities, and skilled nursing facilities, including those facilities attached to acute care hospitals at least [twice] once a year.

2. The department shall not assign an individual to inspect or survey a long-term care facility licensed under this chapter, for any purpose, in which the inspector or surveyor was an employee of such facility within the preceding two years.

3. For any inspection or survey of a facility licensed under this chapter, regardless of the purpose, the department shall require every newly hired inspector or surveyor at the time of hiring or, with respect to any currently employed inspector or surveyor as of August 28, 2009, to disclose:

(1) The name of every Missouri licensed long-term care facility in which he or she has been employed; and

(2) The name of any member of his or her immediate family who has been employed or is currently employed at a Missouri licensed long-term care facility.

The disclosures under this subsection shall be disclosed to the department whenever the event giving rise to disclosure first occurs.

4. For purposes of this section, the phrase "immediate family member" shall mean husband, wife, natural or adoptive parent, child, sibling, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild.

5. The information called for in this section shall be a public record under the provisions of subdivision (6) of section 610.010.

6. Any person may notify the department if facts exist that would lead a reasonable person to conclude that any inspector or surveyor has any personal or business affiliation that would result in a conflict of interest in conducting an inspection or survey for a facility. Upon receiving that notice, the department, when assigning an inspector or surveyor to inspect or survey a facility, for any purpose, shall take steps to verify the information and, if the department has probable cause to believe that it is correct, shall not assign the inspector or surveyor to the facility or any facility within its organization so as to avoid an appearance of prejudice or favor to the facility or bias on the part of the inspector or surveyor.

198.526. BIENNIAL INSPECTIONS — REEVALUATION OF INSPECTION PROCESS — REDUCTION IN INSPECTION SCHEDULE, WHEN — DISCLOSURE OF INSPECTION SCHEDULE LIMITED, PENALTY FOR VIOLATION. — 1. [Except as provided in subsection 3 of this section,] The department of health and senior services shall inspect all facilities licensed by the department at least [twice] once each year. Such inspections shall be conducted:

(1) Without the prior notification of the facility; and

(2) At times of the day, on dates and at intervals which do not permit facilities to anticipate such inspections.

2. The department shall annually reevaluate the inspection process to ensure the requirements of subsection 1 of this section are met.

3. [The department may reduce the frequency of inspections to once a year if a facility is found to be in substantial compliance. The basis for such determination shall include, but not be limited to, the following:

(1) Previous inspection reports;

(2) The facility's history of compliance with rules promulgated pursuant to this chapter;
 (3) The number and severity of complaints received about the facility; and
 (4) In the year subsequent to a finding of no class I violations or class II violations, the facility does not have a change in ownership, operator, or, if the department finds it significant, a change in director of nursing.

4.] Information regarding unannounced inspections shall be disclosed to employees of the department on a need-to-know basis only. Any employee of the department who knowingly discloses the time of an unannounced inspection in violation of this section is guilty of a class A misdemeanor and shall have his or her employment immediately terminated.

198.545. DEFINITIONS — CONTRACTING WITH THIRD PARTIES — DEPARTMENT TO ESTABLISH IDR PROCESS, PROCEDURES — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Missouri Informal Dispute Resolution Act".

2. As used in this section, the following terms shall mean:

- (1) "Deficiency", a facility's failure to meet a participation requirement or standard, whether state or federal, supported by evidence gathered from observation, interview, or record review;
- (2) "Department", the department of health and senior services;
- (3) "Facility", a long-term care facility licensed under this chapter;
- (4) "IDR", informal dispute resolution as provided for in this section;
- (5) "Independent third party", the federally designated Medicare Quality Improvement Organization in this state;
- (6) "Plan of correction", a facility's response to deficiencies which explains how corrective action will be accomplished, how the facility will identify other residents who may be affected by the deficiency practice, what measures will be used or systemic changes made to ensure that the deficient practice will not reoccur, and how the facility will monitor to ensure that solutions are sustained;
- (7) "QIO", the federally designated Medicare Quality Improvement Organization in this state.

3. The department of health and senior services shall contract with an independent third party to conduct informal dispute resolution (IDR) for facilities licensed under this chapter. The IDR process, including conferences, shall constitute an informal administrative process and shall not be construed to be a formal evidentiary hearing. Use of IDR under this section shall not waive the facility's right to pursue further or additional legal actions.

4. The department shall establish an IDR process to determine whether a cited deficiency as evidenced by a statement of deficiencies against a facility shall be upheld. The department shall promulgate rules to incorporate by reference the provisions of 42 CFR 488.331 regarding the IDR process and to include the following minimum requirements for the IDR process:

- (1) Within ten working days of the end of the survey, the department shall by [certified mail] a delivery service that provides dated receipt of delivery transmit to the facility a statement of deficiencies committed by the facility. Notification of the availability of an IDR and IDR process shall be included in the transmittal;
- (2) Within ten [calendar] working days of receipt of the statement of deficiencies, the facility shall return a plan of correction to the department. Within such ten-day period, the facility may request in writing an IDR conference to refute the deficiencies cited in the statement of deficiencies;
- (3) Within ten working days of receipt for an IDR conference made by a facility, the QIO shall hold an IDR conference unless otherwise requested by the facility. The IDR conference shall provide the facility with an opportunity to provide additional information or clarification in support of the facility's contention that the deficiencies were erroneously cited. The facility may be accompanied by counsel during the IDR conference. The type of IDR held shall be at the discretion of the facility, but shall be limited to:
 - (a) A desk review of written information submitted by the facility; or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
 Matter underscored is proposed language.

- (b) A telephonic conference; or
- (c) A face-to-face conference held at the headquarters of the QIO or at the facility at the request of the facility.

If the QIO determines the need for additional information, clarification, or discussion after conclusion of the IDR conference, the department and the facility shall be present.

5. Within ten days of the IDR conference described in subsection 4 of this section, the QIO shall make a determination, based upon the facts and findings presented, and shall transmit the decision and rationale for the outcome in writing to the facility and the department.

6. If the department disagrees with such determination, the department shall transmit the department's decision and rationale for the reversal of the QIO's decision to the facility within ten calendar days of receiving the QIO's decision.

7. If the QIO determines that the original statement of deficiencies should be changed as a result of the IDR conference, the department shall transmit a revised statement of deficiencies to the facility with the notification of the determination within ten calendar days of the decision to change the statement of deficiencies.

8. Within ten calendar days of receipt of the determination made by the QIO and the revised statement of deficiencies, the facility shall submit a plan of correction to the department.

9. The department shall not post on its website or enter into the Centers for Medicare & Medicaid Services Online Survey, Certification and Reporting System, or report to any other agency, any information about the deficiencies which are in dispute unless the dispute determination is made and the facility has responded with a revised plan of correction, if needed.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

198.640. DEFINITIONS. — As used in sections 198.640 to 198.648, the following terms shall mean:

(1) "Controlling person", a business entity, officer, program administrator, or director whose responsibilities include the direction of the management or policies of a supplemental health care services agency. The term "controlling person" also means an individual who, directly or indirectly, beneficially owns an interest in a corporation, partnership, or other business association that is a controlling person;

(2) "Department", the department of health and senior services;

(3) "Health care facility", a licensed hospital defined under section 197.020 or a licensed entity defined under subdivision (6), (14), (22), or (23) of section 198.006;

(4) "Health care personnel", any individual licensed, accredited, or certified by the state of Missouri to perform specified health services consistent with state law;

(5) "Person", an individual, firm, corporation, partnership, or association;

(6) "Supplemental health care services agency" or "agency", a person, firm, corporation, partnership, or association engaged for hire in the business of providing or procuring temporary employment in health care facilities for health care personnel, including a temporary nursing staffing agency as defined in section 383.130, or that operates a digital website or digital smartphone application that facilitates the provision of the engagement of health care personnel and accepts requests for health care personnel through its digital website or digital smartphone application. The term "supplemental

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health care services agency" or "agency" shall not include an individual who engages, only on his or her own behalf, to provide the individual's services on a temporary basis to health care facilities or a home health agency licensed under section 197.415 and shall not include a person, firm, corporation, partnership, or association engaged in the provision of contracted specialty services by a practitioner as defined under subdivision (4) of section 376.1575, to a hospital as defined under section 197.020, or to other individuals or entities providing health care that are not health care facilities.

198.642. SUPPLEMENTAL HEALTH CARE SERVICES AGENCY, REGISTRATION REQUIRED — PROCEDURE. — 1. A person who operates a supplemental health care services agency shall register annually with the department. Each separate business location of the agency shall have a separate registration with the department. Fees collected under this section shall be deposited in the state treasury and credited to the state general revenue fund.

2. The department shall establish forms and procedures for processing each supplemental health care services agency registration application. An application for agency registration shall include at least the following:

- (1) The names and addresses of each person having an ownership interest in the agency;
- (2) If the owner is a corporation, copies of the articles of incorporation or articles of association and current bylaws, together with the names and addresses of officers and directors;
- (3) Satisfactory proof of compliance with the provisions of sections 198.640 to 198.648;
- (4) Any other relevant information that the department determines is necessary to properly evaluate an application for registration;
- (5) Policies and procedures that describe how the agency's records will be immediately available at all times to the department upon request; and
- (6) A registration fee that may be established in rule by the department as determined to be necessary to meet the expenses of the department for the administration of the provisions of sections 198.640 to 198.648, but in no case shall such fee be more than one thousand dollars.

If an agency fails to provide the items required in this subsection to the department, the department shall immediately suspend or refuse to issue the supplemental health care services agency registration. An agency may appeal the department's decision to the administrative hearing commission under chapter 621.

3. A registration issued by the department according to this section shall be effective for a period of one year from the date of its issuance, unless the registration has been revoked or suspended under the provisions of this section or unless the agency is sold or ownership or management is transferred. If an agency is sold or ownership or management is transferred, the registration of the agency shall be void, and the new owner or operator may apply for a new registration.

4. The department shall be responsible for the oversight of supplemental health care services agencies through annual unannounced surveys, complaint investigations, and other actions necessary to ensure compliance with sections 198.640 to 198.648.

198.644. AGENCY CRITERIA — REVOCATION AND NONRENEWAL OF REGISTRATION, WHEN — APPEAL PROCEDURE. — 1. Each registered supplemental health care services agency shall be required, as a condition of registration, to meet the following minimum criteria, which may be supplemented by rules promulgated by the department:

(1) Provide to the health care facility to which any temporary health care personnel are supplied documentation that each health care personnel meets all licensing or certification requirements for the position in which the health care personnel will be working and documentation that each health care personnel meets all training and continuing education standards for the position in which the health care

personnel will be working for the type of facility or entity with which the health care personnel is placed in compliance with any federal, state, or local requirements;

(2) Comply with all pertinent requirements relating to the health and other qualifications of personnel employed in health care facilities, including requirements related to background checks in sections 192.2490 and 192.2495;

(3) Not restrict in any manner the employment opportunities of its health care personnel;

(4) Carry, or require the health care personnel to carry, and provide proof of medical malpractice insurance to insure against loss, damages, or expenses incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in the provision of health care services by the agency or by any health care personnel of the agency;

(5) Maintain, and provide proof of, insurance coverage for workers' compensation for all health care personnel provided or procured by the agency or, if the health care personnel provided or procured by the agency are independent contractors, require occupational accident insurance;

(6) Refrain in any contract with any health care personnel or health care facility from requiring the payment of liquidated damages, employment fees, or other compensation should the health care personnel be hired as a permanent employee of a health care facility;

(7) (a) Submit a report to the department on a quarterly basis for each health care facility participating in Medicare or Medicaid with which the agency contracts that includes all of the following:

a. A detailed list of the average amount charged to the health care facility for each individual health care personnel category; and

b. A detailed list of the average amount paid by the agency to health care personnel in each individual health care personnel category.

(b) Such reports shall be considered closed records under section 610.021, provided that the department shall annually prepare reports of aggregate data that does not identify any data specific to any supplemental health care services agency;

(8) Retain all records for ten calendar years in a manner to allow them to be immediately available to the department;

(9) Provide services to a health care facility during the year preceding the agency's registration renewal date;

(10) Indemnify and hold harmless a health care facility for any damages, sanctions, or civil monetary penalties that are proximately caused by an action or failure to act of any health care personnel the agency provides to the health care facility; provided that the amount for which the supplemental health care services agency may be liable to a health care facility for civil monetary penalties and sanctions shall not exceed one hundred thousand dollars for civil monetary penalties and sanctions that may be assessed against skilled nursing facilities by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services. If the damages, sanctions, or civil monetary penalties are proximately caused by the negligence, action, or failure to act by the health care facility, then liability shall be determined by a percentage of fault and shall be the sole responsibility of the party against whom such determination is made. Such determinations shall be made by the agreement of the parties or a neutral third party who considers all of the relevant factors in making a determination.

2. Failure to comply with the provisions of this section shall subject the supplemental health care services agency to revocation or nonrenewal of its registration.

3. The registration of a supplemental health care services agency that knowingly supplies to a health care facility a person with an illegally or fraudulently obtained or issued diploma, registration, license, certificate, or background study shall be revoked by the department upon fifteen days' advance written notice.

4. (1) Any supplemental health care services agency whose registration has been suspended or revoked may appeal the department's decision to the administrative hearing commission under the provisions of chapter 621.

(2) If a controlling person has been notified by the department that the supplemental health care services agency will not receive an initial registration or that a renewal of the registration has been denied, the controlling person or a legal representative on behalf of the agency may request and receive a hearing on the denial before the administrative hearing commission under the provisions of chapter 621.

5. (1) The controlling person of a supplemental health care services agency whose registration has not been renewed or has been revoked because of noncompliance with the provisions of sections 198.640 to 198.648 shall not be eligible to apply for or receive a registration for five years following the effective date of the nonrenewal or revocation.

(2) The department shall not issue or renew a registration to a supplemental health care services agency if a controlling person includes any individual or entity that was a controlling person of an agency whose registration was not renewed or was revoked as described in subdivision (1) of this subsection for five years following the effective date of nonrenewal or revocation.

198.646. COMPLAINTS, REPORTING SYSTEM. — The department shall establish a system for reporting complaints against a supplemental health care services agency or its health care personnel. Complaints may be made by any member of the public. The department shall investigate any complaint received and shall report the department's findings to the complaining party and the agency or health care personnel involved.

198.648. RULEMAKING AUTHORITY. — The department shall promulgate rules to implement the provisions of sections 198.640 to 198.648. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

208.184. RARE DISEASES, ADVISORY COUNCIL — SICKLE CELL DISEASE AND MO HEALTHNET BENEFICIARIES, ANNUAL EVALUATION AND REVIEW — REPORT. — 1. During at least one regularly scheduled meeting each calendar year, the advisory council on rare diseases and personalized medicine established in section 208.183 shall dedicate time to:

(1) Discuss and evaluate whether the available covered medications, treatments, and services are adequate to meet the needs of MO HealthNet beneficiaries with a diagnosis of sickle cell disease;

(2) Review information on treatments for sickle cell disease in late-stage studies that show promise in peer-reviewed medical literature; and

(3) Review the importance of provider education on the disproportionate impact of sickle cell disease on specific minority populations.

2. After each annual review of the issues described under subsection 1 of this section, staff members of the MO HealthNet division, under the guidance of the advisory council on rare diseases and personalized medicine, may develop their own report on the issues described under subsection 1 of this section to be made available to the public or may solicit expert testimony or input on such issues, which may be compiled and posted on the website of the MO HealthNet division.

208.798. TERMINATION DATE. — The provisions of sections 208.780 to 208.798 shall terminate on August 28, ~~[2022]~~ 2029.

208.909. RESPONSIBILITIES OF RECIPIENTS AND VENDORS. — 1. Consumers receiving personal care assistance services shall be responsible for:

- (1) Supervising their personal care attendant;
- (2) Verifying wages to be paid to the personal care attendant;
- (3) Preparing and submitting time sheets, signed by both the consumer and personal care attendant, to the vendor on a biweekly basis;
- (4) Promptly notifying the department within ten days of any changes in circumstances affecting the personal care assistance services plan or in the consumer's place of residence;
- (5) Reporting any problems resulting from the quality of services rendered by the personal care attendant to the vendor. If the consumer is unable to resolve any problems resulting from the quality of service rendered by the personal care attendant with the vendor, the consumer shall report the situation to the department;
- (6) Providing the vendor with all necessary information to complete required paperwork for establishing the employer identification number;
- (7) Allowing the vendor to comply with its quality assurance and supervision process, which shall include, but not be limited to, annual face-to-face home visits and monthly case management activities; and

(8) Reporting to the department significant changes in their health and ability to self-direct care.

2. Participating vendors shall be responsible for:

- (1) Collecting time sheets or reviewing reports of delivered services and certifying the accuracy thereof;
- (2) The Medicaid reimbursement process, including the filing of claims and reporting data to the department as required by rule;
- (3) Transmitting the individual payment directly to the personal care attendant on behalf of the consumer;

(4) Ensuring all payroll, employment, and other taxes are paid timely;

(5) Monitoring the performance of the personal care assistance services plan. Such monitoring shall occur during the annual face-to-face home visit under section 208.918. The vendor shall document whether services are being provided to the consumer as set forth in the plan of care. If the attendant was not providing services as set forth in the plan of care, the vendor shall notify the department and the department may suspend services to the consumer; and

~~[(5)]~~ (6) Reporting to the department significant changes in the consumer's health or ability to self-direct care.

3. No state or federal financial assistance shall be authorized or expended to pay for services provided to a consumer under sections 208.900 to 208.927, if the primary benefit of the services is to the household unit, or is a household task that the members of the consumer's household may reasonably be expected to share or do for one another when they live in the same household, unless such service is above and beyond typical activities household members may reasonably provide for another household member without a disability.

4. No state or federal financial assistance shall be authorized or expended to pay for personal care assistance services provided by a personal care attendant who has not undergone the background screening process under section 192.2495. If the personal care attendant has a disqualifying finding under section 192.2495, no state or federal assistance shall be made, unless a good cause waiver is first obtained from the department in accordance with section 192.2495.

5. (1) All vendors shall, by July 1, 2015, have, maintain, and use a telephone tracking system for the purpose of reporting and verifying the delivery of consumer-directed services as authorized by the

department of health and senior services or its designee. The telephone tracking system shall be used to process payroll for employees and for submitting claims for reimbursement to the MO HealthNet division. At a minimum, the telephone tracking system shall:

- (a) Record the exact date services are delivered;
- (b) Record the exact time the services begin and exact time the services end;
- (c) Verify the telephone number from which the services are registered;
- (d) Verify that the number from which the call is placed is a telephone number unique to the client;
- (e) Require a personal identification number unique to each personal care attendant;
- (f) Be capable of producing reports of services delivered, tasks performed, client identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service; and
- (g) Be capable of producing reimbursement requests for consumer approval that assures accuracy and compliance with program expectations for both the consumer and vendor.

(2) As new technology becomes available, the department may allow use of a more advanced tracking system, provided that such system is at least as capable of meeting the requirements of this subsection.

(3) The department of health and senior services shall promulgate by rule the minimum necessary criteria of the telephone tracking system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

6. (1) The vendor shall be liable to the consumer for any garnishment action occurring or that has occurred as a result of the vendor's failure to timely pay payroll, employment, or other taxes on behalf of the consumer under subsection 2 of this section. The vendor shall notify the consumer of any communication or correspondence from any federal, state, or local tax authority of any overdue or unpaid tax obligation, as well as any notice of an impending garnishment.

(2) The vendor may be subject to a one-thousand-dollar penalty per occurrence of the vendor's failure to timely pay payroll, employment, or other taxes on behalf of the consumer under subsection 2 of this section.

210.921. RELEASE OF REGISTRY INFORMATION, WHEN — LIMITATIONS OF DISCLOSURE — IMMUNITY FROM LIABILITY, WHEN. — 1. The department shall not provide any registry information pursuant to this section unless the department obtains the name and address of the person [calling] or entity requesting the information, and determines that the inquiry is for employment purposes only. For purposes of sections 210.900 to 210.936, "employment purposes" includes direct employer-employee relationships, prospective employer-employee relationships, direct or prospective independent contractor relationships of health care personnel with a supplemental health care services agency, as defined in section 198.640, and screening and interviewing of persons or facilities by those persons contemplating the placement of an individual in a child-care, elder-care, mental health, or personal-care setting. Disclosure of background information concerning a given applicant recorded by the department in the registry shall be limited to:

- (1) Confirming whether the individual is listed in the registry; and
- (2) Indicating whether the individual has been listed or named in any of the background checks listed in subsection 2 of section 210.903. If such individual has been so listed, the department of health and senior services shall only disclose the name of the background check in which the individual has been identified. With the exception of any agency licensed or contracted by the state to provide child

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care, elder care, mental health services, or personal care which shall receive specific information immediately if requested, any specific information related to such background check shall only be disclosed after the department has received a signed request from the person [calling] or entity requesting the information, with the person's or entity's name, address and reason for requesting the information.

2. Any person or entity requesting registry information shall be informed that the registry information provided pursuant to this section consists only of information relative to the state of Missouri and does not include information from other states or information that may be available from other states.

3. Any person who uses the information obtained from the registry for any purpose other than that specifically provided for in sections 210.900 to 210.936 is guilty of a class B misdemeanor.

4. When any registry information is disclosed pursuant to subdivision (2) of subsection 1 of this section, the department shall notify the registrant of the name and address of the person or entity making the inquiry.

5. The department of health and senior services staff providing information pursuant to sections 210.900 to 210.936 shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions; provided, however, any department of health and senior services staff person who releases registry information in bad faith or with ill intent shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the release of registry information. The department is prohibited from selling the registry or any portion of the registry for any purpose including employment purposes as defined in subsection 1 of this section.

301.020. APPLICATION FOR REGISTRATION OF MOTOR VEHICLES, CONTENTS — CERTAIN VEHICLES, SPECIAL PROVISIONS — PENALTY FOR FAILURE TO COMPLY — OPTIONAL BLINDNESS ASSISTANCE DONATION — DONATION TO ORGAN DONOR PROGRAM OR MISSOURI MEDAL OF HONOR RECIPIENTS FUND PERMITTED. — 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is ten years of age or less and has less than one hundred fifty thousand miles on the odometer, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of ten years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, autocycle, bus, or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is ten years of age or less and has

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less than one hundred fifty thousand miles on the odometer, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of ten years after the receipt of such information. This subsection shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

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8. An applicant for registration may make a donation of an amount not less than one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making [the] a contribution not less than one dollar [donation] as prescribed in this subsection.

9. An applicant for registration may make a donation of one dollar to the Missouri medal of honor recipients fund. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the Missouri medal of honor recipients fund as established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely for the purposes established in section 226.925, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

302.171. APPLICATION FOR LICENSE — FORM — CONTENT — EDUCATIONAL MATERIALS TO BE PROVIDED TO APPLICANTS UNDER TWENTY-ONE — VOLUNTARY CONTRIBUTION TO CERTAIN PROGRAMS AND FUND — DENIAL OF DRIVING PRIVILEGE, WHEN — EXEMPTION FROM REQUIREMENT TO PROVIDE PROOF OF RESIDENCY — ONE-YEAR RENEWAL, REQUIREMENTS. — 1. The director shall verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with a lawful immigration status, and a Missouri resident before accepting the application. The director shall not issue a driver's license for a period that exceeds the duration of an applicant's lawful immigration status in the United States. The director may establish procedures to verify the Missouri residency or United States naturalization or lawful immigration status and Missouri residency of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one or more dollar donation to promote an organ donation program as prescribed in subsection 2 of this section, to promote a blindness education, screening and treatment program as prescribed in subsection 3 of this section, or the Missouri medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license, nondriver's license, or instruction permit issued under this chapter shall contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor

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vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178. For persons mobilized and deployed with the United States Armed Forces, an application under this subsection shall be considered satisfactory by the department of revenue if it is signed by a person who holds general power of attorney executed by the person deployed, provided the applicant meets all other requirements set by the director.

2. An applicant for a license may make a donation of an amount not less than one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304 except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ and tissue donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one or more dollar donation prescribed in this subsection and whether the applicant is interested in inclusion in the organ donor registry and shall also specifically inform the licensee of the ability to consent to organ donation by placing a donor symbol sticker authorized and issued by the department of health and senior services on the back of his or her driver's license or identification card as prescribed by subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of the license or identification card indicating the applicant's desire to be listed in the registry at the applicant's request at the time of his or her application for a driver's license or identification card, or the applicant may instead request an organ donor sticker from the department of health and senior services by application on the department of health and senior services' website. Upon receipt of an organ donor sticker sent by the department of health and senior services, the applicant shall place the sticker on the back of his or her driver's license or identification card to indicate that he or she has made an anatomical gift. The director shall notify the department of health and senior services of information obtained from applicants who indicate to the director that they are interested in registry participation, and the department of health and senior services shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4. An applicant for registration may make a donation of one dollar to the Missouri medal of honor recipients fund. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the Missouri medal of honor recipients fund as established in section 226.925. Moneys in the medal of honor recipients fund shall be used solely for the purposes established in section 226.925, except that the department of revenue shall retain no more than one percent for its

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administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

5. Beginning July 1, 2005, the director shall deny the driving privilege of any person who commits fraud or deception during the examination process or who makes application for an instruction permit, driver's license, or nondriver's license which contains or is substantiated with false or fraudulent information or documentation, or who knowingly conceals a material fact or otherwise commits a fraud in any such application. The period of denial shall be one year from the effective date of the denial notice sent by the director. The denial shall become effective ten days after the date the denial notice is mailed to the person. The notice shall be mailed to the person at the last known address shown on the person's driving record. The notice shall be deemed received three days after mailing unless returned by the postal authorities. No such individual shall reapply for a driver's examination, instruction permit, driver's license, or nondriver's license until the period of denial is completed. No individual who is denied the driving privilege under this section shall be eligible for a limited driving privilege issued under section 302.309.

6. All appeals of denials under this section shall be made as required by section 302.311.

7. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036.

8. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

9. Notwithstanding any provision of this chapter that requires an applicant to provide proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri residency.

10. Notwithstanding any provision of this chapter, for the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department of revenue, including, but not limited to, United States military identification or United States military discharge papers, shall constitute sufficient proof of Missouri citizenship.

11. Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 9 of this section and does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of Missouri residency, United States naturalization, or lawful immigration status.

335.230. FINANCIAL ASSISTANCE, AMOUNT. — Financial assistance to any qualified applicant shall not exceed ~~[five]~~ ten thousand dollars for each academic year for a professional nursing program and shall not exceed ~~[two thousand five hundred]~~ five thousand dollars for each academic year for a practical nursing program. All financial assistance shall be made from funds credited to the professional and practical nursing student loan and nurse loan repayment fund. A qualified applicant may receive financial assistance for each academic year he remains a student in good standing at a participating school.

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335.257. VERIFICATION OF QUALIFIED EMPLOYMENT. — Successful applicants for whom loan payments are made under the provisions of sections 335.245 to 335.259 shall verify to the department twice each year, [in June and in December,] in the manner prescribed by the department that qualified employment in this state is being maintained.

376.427. ASSIGNMENT OF BENEFITS MADE BY INSURED TO PROVIDER — PAYMENT, HOW MADE — EXCEPTIONS — ALL CLAIMS TO BE PAID, WHEN — OUT-OF-NETWORK SERVICES, HOW PAID. — 1. As used in this section, the following terms mean:

(1) "Health benefit plan", as such term is defined in section 376.1350. The term "health benefit plan" shall also include a prepaid dental plan, as defined in section 354.700;

(2) "Health care services", medical, surgical, dental, podiatric, pharmaceutical, chiropractic, licensed ambulance service, and optometric services;

(3) "Health carrier" or "carrier", as such term is defined in section 376.1350. The term "health carrier" or "carrier" shall also include a prepaid dental plan corporation, as defined in section 354.700;

(4) "Insured", any person entitled to benefits under a contract of accident and sickness insurance, or medical-payment insurance issued as a supplement to liability insurance but not including any other coverages contained in a liability or a workers' compensation policy, issued by an insurer;

(5) "Insurer", any person, reciprocal exchange, interinsurer, fraternal benefit society, health services corporation, self-insured group arrangement to the extent not prohibited by federal law, prepaid dental plan corporation as defined in section 354.700, or any other legal entity engaged in the business of insurance;

(6) "Provider", a physician, hospital, dentist, podiatrist, chiropractor, pharmacy, licensed ambulance service, or optometrist, licensed by this state.

2. Upon receipt of an assignment of benefits made by the insured to a provider, the insurer shall issue the instrument of payment for a claim for payment for health care services in the name of the provider. All claims shall be paid within thirty days of the receipt by the insurer of all documents reasonably needed to determine the claim.

3. Nothing in this section shall preclude an insurer from voluntarily issuing an instrument of payment in the single name of the provider.

4. Except as provided in subsection 5 of this section, this section shall not require any insurer, health services corporation, prepaid dental plan as defined in section 354.700, health maintenance corporation or preferred provider organization which directly contracts with certain members of a class of providers for the delivery of health care services to issue payment as provided pursuant to this section to those members of the class which do not have a contract with the insurer.

5. When a patient's health benefit plan does not include or require payment to out-of-network providers for all or most covered services, which would otherwise be covered if the patient received such services from a provider in the [carrier's] health benefit plan's network, including but not limited to health maintenance organization plans, as such term is defined in section 354.400, or a health benefit plan offered by a carrier consistent with subdivision (19) of section 376.426, payment for all services shall be made directly to the providers when the health carrier has authorized such services to be received from a provider outside the [carrier's] health benefit plan's network.

376.1575. DEFINITIONS. — As used in sections 376.1575 to 376.1580, the following terms shall mean:

(1) "Completed application", a practitioner's application to a health carrier that seeks the health carrier's authorization for the practitioner to provide patient care services as a member of the health carrier's network and does not omit any information which is clearly required by the application form and the accompanying instructions;

(2) "Credentialing", a health carrier's process of assessing and validating the qualifications of a practitioner to provide patient care services and act as a member of the health carrier's provider network;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350. The term "health carrier" shall also include any entity described in subdivision (4) of section 354.700;

(4) "Practitioner":

- (a) A physician or physician assistant eligible to provide treatment services under chapter 334;
- (b) A pharmacist eligible to provide services under chapter 338;
- (c) A dentist eligible to provide services under chapter 332;
- (d) A chiropractor eligible to provide services under chapter 331;
- (e) An optometrist eligible to provide services under chapter 336;
- (f) A podiatrist eligible to provide services under chapter 330;
- (g) A psychologist or licensed clinical social worker eligible to provide services under chapter 337;

or

- (h) An advanced practice nurse eligible to provide services under chapter 335.

630.202. ESSENTIAL CAREGIVER DESIGNATION, PROCEDURE, REQUIREMENTS. — 1. As used in this section, the following terms mean:

(1) "Department", the department of mental health;

(2) "Essential caregiver", a family member, friend, guardian, or other individual selected by a facility resident or client who has not been adjudged incapacitated under chapter 475, or the guardian or legal representative of the resident or client;

(3) "Facility", a facility operated, licensed, or certified by the department.

2. During a state of emergency declared pursuant to chapter 44 relating to infectious, contagious, communicable, or dangerous diseases, a facility shall allow a resident or client who has not been adjudged incapacitated under chapter 475, a resident's or client's guardian, or a resident's or client's legally authorized representative to designate an essential caregiver for in-person contact with the resident or client in accordance with the standards and guidelines developed by the department under this section. Essential caregivers shall be considered a part of the resident's or client's care team, along with the resident's or client's health care providers and facility staff.

3. The facility shall inform, in writing, residents and clients who have not been adjudged incapacitated under chapter 475, or guardians or legal representatives of residents or clients, of the "Essential Caregiver Program" and the process for designating an essential caregiver.

4. The department shall develop standards and guidelines concerning the essential caregiver program, including, but not limited to, the following:

(1) The facility shall allow at least two individuals per resident or client to be designated as essential caregivers, although the facility may limit the in-person contact to one caregiver at a time. The caregiver shall not be required to have previously served in a caregiver capacity prior to the declared state of emergency;

(2) The facility shall establish a reasonable in-person contact schedule to allow the essential caregiver to provide care to the resident or client for at least four hours each day, including evenings, weekends, and holidays, but shall allow for twenty-four-hour in-person care as necessary and appropriate for the well-being of the resident or client and consistent with the safety and security of the facility's staff and other residents or clients. The essential caregiver shall be permitted to leave and return during the scheduled hours or be replaced by another essential caregiver;

(3) The facility shall establish procedures to enable physical contact between the resident or client and the essential caregiver. The facility may not require the essential caregiver to undergo more stringent screening, testing, hygiene, personal protective equipment, and other infection control and prevention protocols than required of facility employees;

(4) The facility shall specify in its protocols the criteria that the facility will use if it determines that in-person contact by a particular essential caregiver is inconsistent with the resident's or client's therapeutic care and treatment or is a safety risk to other residents, clients, or staff at the facility. Any limitations placed upon a particular essential caregiver shall be reviewed and documented every seven days to determine if the limitations remain appropriate; and

(5) The facility may restrict or revoke in-person contact by an essential caregiver who fails to follow required protocols and procedures established under this subsection.

5. (1) A facility may request from the department a suspension of in-person contact by essential caregivers for a period not to exceed seven days. The department may deny the facility's request to suspend in-person contact with essential caregivers if the department determines that such in-person contact does not pose a serious community health risk. A facility may request from the department an extension of a suspension for more than seven days; provided, that the department shall not approve an extension period for longer than seven days at a time. A facility shall not suspend in-person caregiver visitation for more than fourteen consecutive days in a twelve-month period or for more than forty-five total days in a twelve-month period.

(2) The department shall suspend in-person contact by essential caregivers under this section if it determines that doing so is required under federal law, including a determination that federal law requires a suspension of in-person contact by members of the resident's or client's care team.

(3) The attorney general shall institute all suits necessary on behalf of the state to defend the right of the state to implement the provisions of this section to ensure access by residents and clients to essential caregivers as part of their care team.

6. The provisions of this section shall not be construed to require an essential caregiver to provide necessary care to a resident or client and a facility shall not require an essential caregiver to provide necessary care.

7. The provisions of this section shall not apply to those residents or clients whose particular plan of therapeutic care and treatment necessitates restricted or otherwise limited visitation for reasons unrelated to the stated reason for the declared state of emergency.

8. A facility, its employees, and its contractors shall be immune from civil liability for an injury or harm caused by or resulting from:

(1) Exposure to a contagious disease or other harmful agent that is specified during the state of emergency declared pursuant to chapter 44; or

(2) Acts or omissions by essential caregivers who are present in the facility;

as a result of the implementation of the essential caregiver program under this section. The immunity described in this subsection shall not apply to any act or omission by a facility, its employees, or its contractors that constitutes recklessness or willful misconduct.

660.010. DEPARTMENT OF SOCIAL SERVICES CREATED — DIVISIONS AND AGENCIES ASSIGNED TO DEPARTMENT — DUTIES, POWERS — DIRECTOR'S APPOINTMENT. — 1. There is hereby created a "Department of Social Services" in charge of a director appointed by the governor, by and with the advice and consent of the senate. All the powers, duties and functions of the director of the department of public health and welfare, chapters 191 and 192, and others, not previously reassigned by executive reorganization plan number 2 of 1973 as submitted by the governor under chapter 26 except those assigned to the department of mental health, are transferred by type I transfer to the director of the department of social services and the office of the director, department of public health and welfare is abolished. The department of public health and welfare is abolished. All employees of the department of social services shall be covered by the provisions of chapter 36 except the director of the department and the director's secretary, all division directors and their secretaries, and no more than three additional positions in each division which may be designated by the division director.

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2. It is the intent of the general assembly in establishing the department of social services, as provided herein, to authorize the director of the department to coordinate the state's programs devoted to those unable to provide for themselves and for the rehabilitation of victims of social disadvantage. The director shall use the resources provided to the department to provide comprehensive programs and leadership striking at the roots of dependency, disability and abuse of society's rules with the purpose of improving service and economical operations. The department is directed to take all steps possible to consolidate and coordinate the field operations of the department to maximize service to the citizens of the state.

3. All references to the division of welfare shall hereafter be construed to mean the department of social services or the appropriate division within the department.

4. The state's responsibility under public law 452 of the eighty-eighth Congress and others, pertaining to the Office of Economic Opportunity, is transferred by type I transfer to the department of social services.

5. [The state's responsibility under public law 73, Older Americans Act of 1965, of the eighty-ninth Congress is transferred by type I transfer to the department of social services.]

6.] All the powers, duties and functions vested by law in the curators of the University of Missouri relating to crippled children's services, chapter 201, are transferred by type I transfer to the department of social services.

[7.] 6. All the powers, duties and functions vested in the state board of training schools, chapter 219 and others, are transferred by type I transfer to the "Division of Youth Services" hereby authorized in the department of social services headed by a director appointed by the director of the department. The state board of training schools shall be reconstituted as an advisory board on youth services, appointed by the director of the department. The advisory board shall visit each facility of the division as often as possible, shall file a written report with the director of the department and the governor on conditions they observed relating to the care and rehabilitative efforts in behalf of children assigned to the facility, the security of the facility and any other matters pertinent in their judgment. Copies of these reports shall be filed with the legislative library. Members of the advisory board shall receive reimbursement for their expenses and twenty-five dollars a day for each day they engage in official business relating to their duties. The members of the board shall be provided with identification means by the director of the division permitting immediate access to all facilities enabling them to make unannounced entrance to facilities they wish to inspect.

SECTION 1. BLACK MATERNAL HEALTH WEEK DESIGNATED FOR APRIL 11-17. — April 11 through April 17 of each year is hereby designated as "Black Maternal Health Week". The citizens of this state are encouraged to engage in appropriate events and activities to commemorate black maternal health.

[191.743. HIGH RISK PREGNANCIES, WOMEN TO BE INFORMED OF AVAILABLE SERVICES — CONSENT TO INFORM DEPARTMENT OF HEALTH AND SENIOR SERVICES, FORMS — CONFIDENTIALITY — PHYSICIANS NOT TO BE LIABLE.] — 1. Any physician or health care provider

who provides services to pregnant women shall identify all such women who are high risk pregnancies by use of protocols developed by the department of health and senior services pursuant to section 191.741. The physician or health care provider shall upon identification inform such woman of the availability of services and the option of referral to the department of health and senior services.

2. Upon consent by the woman identified as having a high risk pregnancy, the physician or health care provider shall make a report, within seventy-two hours, to the department of health and senior services on forms approved by the department of health and senior services.

3. Any physician or health care provider complying with the provisions of this section, in good faith, shall have immunity from any civil liability that might otherwise result by reason of such actions.

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4. Referral and associated documentation provided for in this section shall be confidential and shall not be used in any criminal prosecution.

5. The consent required by subsection 2 of this section shall be deemed a waiver of the physician-patient privilege solely for the purpose of making the report pursuant to subsection 2 of this section.]

[196.866. MANUFACTURER'S LICENSE REQUIRED, EXCEPTIONS — APPLICATION, FEES, INVESTIGATION — EXPIRES WHEN — LICENSE WITHHELD OR REVOKED, NOTICE, HEARING — JUDICIAL REVIEW. —

1. Every person, firm, association or corporation, before engaging in the business of manufacturing or freezing ice cream, mellorine, frozen dessert products or any other product defined in sections 196.851 to 196.895, shall first obtain a license from the director of the department of health and senior services of the state of Missouri. A license shall be obtained for each plant or place of business where ice cream, ice cream mix, ice milk, sherbet, frozen malt, ice milk mix, mellorine, edible fat frozen dessert or ices are manufactured or frozen. Hotels, motels, restaurants, boardinghouses, or other concerns or agents which shall manufacture or freeze ice cream, or related frozen food products defined in sections 196.851 to 196.895 for the use of their patrons, guests, or servants, shall be required to take out the license herein provided for; provided, that nothing in this section shall apply to private homes, hospitals, churches, or fraternal organizations manufacturing such products for their own use or to retailers dealing in ice cream or frozen dessert products received in the final frozen form from a licensed manufacturer.

2. Applications for such licenses, both frozen dessert and mellorine, shall be accompanied by a statutory fee as follows: For each plant producing annually not in excess of five thousand gallons, ten dollars; in excess of five thousand gallons and not in excess of fifteen thousand gallons, fifteen dollars; in excess of fifteen thousand gallons and not in excess of twenty-five thousand gallons, twenty-five dollars; in excess of twenty-five thousand gallons and not in excess of fifty thousand gallons, fifty dollars; in excess of fifty thousand gallons and not in excess of one hundred thousand gallons, seventy-five dollars; in excess of one hundred thousand gallons and not in excess of two hundred thousand gallons, one hundred dollars; in excess of two hundred thousand gallons and not in excess of four hundred thousand gallons, one hundred twenty-five dollars; over four hundred thousand gallons, one hundred fifty dollars, and shall be made to the director of the department of health and senior services, upon such forms and shall show such information as may be demanded by the department of health and senior services, and the said director of the department of health and senior services, upon receipt of application for such license, shall cause to be investigated the equipment and the sanitary conditions of the plant or place of business for which the license is applied. If the condition of the plant or place of business is found to be satisfactory, a license shall be issued by the director of the department of health and senior services to such applicant.

3. Each license so issued shall expire one year following the date of issuance. All licenses for plants or places of business, when the manufacture of ice cream, ice cream mix, ice milk, sherbets, or ices is continued after the expiration of such licenses, shall be renewed annually.

4. The director of the department of health and senior services may withhold and refuse to issue a license for any plant or place of business that has not been conducted or is not prepared to be conducted in accordance with the requirements of sections 196.851 to 196.895 or any rules issued hereunder. The director of the department of health and senior services shall have the power to revoke any license issued under sections 196.851 to 196.895 whenever it is determined by him that any of the provisions of sections 196.851 to 196.895 have been violated. Any person, firm, association or corporation, whose license has been so revoked, shall discontinue operation of the business for which the license was issued until such time as the provisions of sections 196.851 to 196.895 have been complied with and a new license granted by the director of the department of health and senior services. Before revoking any such license, the director of the department of health and senior services shall give written notice to the licensee affected, stating that he contemplates revocation of the same and giving his reasons therefor.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

Said notice shall appoint a time and place for hearing and shall be mailed by registered mail to the licensee at least ten days before the date set for the hearing or personal service rendered. The licensee may present to the director of the department of health and senior services such evidence as may have a bearing on the case, and, after hearing of the testimony, the director of the department of health and senior services shall decide the question in such manner as to him appears just and right.

5. Any licensee who feels aggrieved at the decision of the director of the department of health and senior services may appeal from said decision within sixty days by writ of certiorari to the circuit court of the county in which such person resides or in case of a firm, association or corporation, the county in which is located its principal place of business.

6. All fees collected under this section shall be deposited in the state treasury, subject to appropriation by the general assembly.]

[196.868. NONRESIDENT MANUFACTURER TO OBTAIN BROKER'S LICENSE, FEE.] — Any person who operates a plant manufacturing or freezing ice cream, mellorine, frozen dessert products or any other product defined in sections 196.851 to 196.895, located outside of this state and sells, offers for sale or distributes the products in this state shall obtain a broker's license from the director and pay a broker's license fee, equivalent to the license fee provided in section 196.866, on all sales in this state, and shall be subject to the other provisions of sections 196.851 to 196.895.]

[251.070. DEPARTMENT TO IMPLEMENT OLDER AMERICANS ACT.] — The department shall be responsible for the implementation of the Older Americans Act in Missouri. This agency shall develop a state plan describing a program for carrying out the Older Americans Act and shall be the sole agency responsible for coordinating all state programs related to the implementation of such plan.]

SECTION B. EMERGENCY CLAUSE. — Because immediate action is necessary to provide individualized care plans for students with epilepsy or seizure disorders who attend public schools, the enactment of section 167.625 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 167.625 of this act shall be in full force and effect upon its passage and approval.

Approved June 30, 2022

HCS SB 718

Enacts provisions relating to higher education.

AN ACT to repeal sections 160.545, 170.018, 173.280, 173.1200, 173.2500, 173.2505, and 513.430, RSMo, and to enact in lieu thereof thirteen new sections relating to higher education.

SECTION

- A Enacting clause.
- 9.170 Historically Black College and University Week designated for third week of September.
- 135.690 Faculty preceptors tax credit — definitions — amount — procedure — fund created, use of moneys — rules.
- 160.545 A+ school program established — purpose — rules — variable fund match requirement — waiver of rules and regulations, requirement —

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- reimbursement for higher education costs for students — evaluation — reimbursement for two-year schools.
- 167.908 Federal aid for students in career and technical education programs — completion of application, procedure.
- 170.018 Computer science, academic credit for math, science, or practical arts — work group — endorsement on teacher certificate — fund, grants — rulemaking authority.
- 170.036 Computer science education task force, members, mission — summary — task force to dissolve, when.
- 173.280 Compensation of student athletes permitted, when — grant-in-aid or stipend eligibility not impacted, when — financial development program, purpose — civil action, when — applicability.
- 173.831 Workforce diploma program — definitions — program providers, qualifications, approval, payment of providers — report, contents — survey, contents — department review — fund created, use of moneys — rules — sunset provision.
- 173.1200 Policy to advise students and staff on available suicide prevention programs — posting on website — anonymous reporting.
- 173.1352 Advanced placement exams, undergraduate course credit, when.
- 173.2500 Dual credit providers — definitions — application procedure — rulemaking authority — fund created.
- 173.2505 Scholarship eligibility — amount of scholarship, limitation — fund created.
- 513.430 Property exempt from attachment — construction of section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 160.545, 170.018, 173.280, 173.1200, 173.2500, 173.2505, and 513.430, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 9.170, 135.690, 160.545, 167.908, 170.018, 170.036, 173.280, 173.831, 173.1200, 173.1352, 173.2500, 173.2505, and 513.430, to read as follows:

9.170. HISTORICALLY BLACK COLLEGE AND UNIVERSITY WEEK DESIGNATED FOR THIRD WEEK OF SEPTEMBER. — The third week of September shall be known as "Historically Black College and University Week" in Missouri. The citizens of this state are encouraged to observe the week with appropriate events and activities recognizing the importance of historically black colleges and universities, especially Lincoln University and Harris-Stowe State University, the two historically black colleges and universities located in Missouri.

135.690. FACULTY PRECEPTORS TAX CREDIT — DEFINITIONS — AMOUNT — PROCEDURE — FUND CREATED, USE OF MONEYS — RULES. — 1. As used in this section, the following terms mean:

(1) "Community-based faculty preceptor", a physician or physician assistant who is licensed in Missouri and provides preceptorships to Missouri medical students or physician assistant students without direct compensation for the work of precepting;

(2) "Department", the Missouri department of health and senior services;

(3) "Division", the division of professional registration of the department of commerce and insurance;

(4) "Federally Qualified Health Center (FQHC)", a reimbursement designation from the Bureau of Primary Health Care and the Centers for Medicare and Medicaid services of the United States Department of Health and Human Services;

(5) "Medical student", an individual enrolled in a Missouri medical college approved and accredited as reputable by the American Medical Association or the Liaison Committee on Medical Education or

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enrolled in a Missouri osteopathic college approved and accredited as reputable by the Commission on Osteopathic College Accreditation:

(6) "Medical student core preceptorship" or "physician assistant student core preceptorship", a preceptorship for a medical student or physician assistant student that provides a minimum of one hundred twenty hours of community-based instruction in family medicine, internal medicine, pediatrics, psychiatry, or obstetrics and gynecology under the guidance of a community-based faculty preceptor. A community-based faculty preceptor may add together the amounts of preceptorship instruction time separately provided to multiple students in determining whether he or she has reached the minimum hours required under this subdivision, but the total preceptorship instruction time provided shall equal at least one hundred twenty hours in order for such preceptor to be eligible for the tax credit authorized under this section:

(7) "Physician assistant student", an individual participating in a Missouri physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor organization:

(8) "Taxpayer", any individual, firm, partner in a firm, corporation, or shareholder in an S corporation doing business in this state and subject to the state income tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

2. (1) Beginning January 1, 2023, any community-based faculty preceptor who serves as the community-based faculty preceptor for a medical student core preceptorship or a physician assistant student core preceptorship shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, in an amount equal to one thousand dollars for each preceptorship, up to a maximum of three thousand dollars per tax year, if he or she completes up to three preceptorship rotations during the tax year and did not receive any direct compensation for the preceptorships.

(2) To receive the credit allowed by this section, a community-based faculty preceptor shall claim such credit on his or her return for the tax year in which he or she completes the preceptorship rotations and shall submit supporting documentation as prescribed by the division and the department.

(3) In no event shall the total amount of a tax credit authorized under this section exceed a taxpayer's income tax liability for the tax year for which such credit is claimed. No tax credit authorized under this section shall be allowed a taxpayer against his or her tax liability for any prior or succeeding tax year.

(4) No more than two hundred preceptorship tax credits shall be authorized under this section for any one calendar year. The tax credits shall be awarded on a first-come, first-served basis. The division and the department shall jointly promulgate rules for determining the manner in which taxpayers who have obtained certification under this section are able to claim the tax credit. The cumulative amount of tax credits awarded under this section shall not exceed two hundred thousand dollars per year.

(5) Notwithstanding the provisions of subdivision (4) of this subsection, the department is authorized to exceed the two hundred thousand dollars per year tax credit program cap in any amount not to exceed the amount of funds remaining in the medical preceptor fund, as established under subsection 3 of this section, as of the end of the most recent tax year, after any required transfers to the general revenue fund have taken place in accordance with the provisions of subsection 3 of this section.

3. (1) Funding for the tax credit program authorized under this section shall be generated by the division from a license fee increase of seven dollars per license for physicians and surgeons and from a license fee increase of three dollars per license for physician assistants. The license fee increases shall take effect beginning January 1, 2023, based on the underlying license fee rates prevailing on that date. The underlying license fee rates shall be determined under section 334.090 and all other applicable provisions of chapter 334.

(2) (a) There is hereby created in the state treasury the "Medical Preceptor Fund", which shall consist of moneys collected under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund

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shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the division for the administration of the tax credit program authorized under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the medical preceptor fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(b) Notwithstanding any provision of this chapter or any other provision of law to the contrary, all revenue from the license fee increases described under subdivision (1) of this subsection shall be deposited in the medical preceptor fund. After the end of every tax year, an amount equal to the total dollar amount of all tax credits claimed under this section shall be transferred from the medical preceptor fund to the state's general revenue fund established under section 33.543. Any excess moneys in the medical preceptor fund shall remain in the fund and shall not be transferred to the general revenue fund.

4. (1) The department shall administer the tax credit program authorized under this section. Each taxpayer claiming a tax credit under this section shall file an application with the department verifying the number of hours of instruction and the amount of the tax credit claimed. The hours claimed on the application shall be verified by the college or university department head or the program director on the application. The certification by the department affirming the taxpayer's eligibility for the tax credit provided to the taxpayer shall be filed with the taxpayer's income tax return.

(2) No amount of any tax credit allowed under this section shall be refundable. No tax credit allowed under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive the tax credit authorized under this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

5. The department of commerce and insurance and the department of health and senior services shall jointly promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

160.545. A+ SCHOOL PROGRAM ESTABLISHED — PURPOSE — RULES — VARIABLE FUND MATCH REQUIREMENT — WAIVER OF RULES AND REGULATIONS, REQUIREMENT — REIMBURSEMENT FOR HIGHER EDUCATION COSTS FOR STUDENTS — EVALUATION — REIMBURSEMENT FOR TWO-YEAR SCHOOLS. — 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

- (1) All students be graduated from school;
- (2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and
- (3) All students:
 - (a) Earn credits toward any type of college degree while in high school; or
 - (b) Proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

- (1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

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Matter underscored is proposed language.

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the

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provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 8 [or 9] of this section.

8. The department of higher education and workforce development shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [11] 10 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a high school in the state for at least two years that meets the requirements of subsection 2 of this section and who has graduated from such a school; except that, students who are active duty military dependents, and students who are dependents of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty who meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the two-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school or through the semester immediately before taking the course for which reimbursement is sought as determined by rule of the department of higher education and workforce development, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

9. [The department of higher education and workforce development shall, by rule, establish a procedure for the reimbursement of the cost of tuition, and fees for any dual-credit or dual-enrollment course offered to a student in high school in association with an institution of higher education or vocational or technical school, subject to the requirements of subsection 11 of this section, for any student who meets the requirements established in subsection 8 of this section immediately before taking the course for which reimbursement is sought.

10.] The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[11.] 10. For a two-year private vocational or technical school to obtain reimbursements under subsection 8 [or 9] of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.

[12. The department of higher education and workforce development shall distribute reimbursements in the following manner:

(1) To community college or vocational or technical school students;

(2) After all students from subdivision (1) of this subsection have been reimbursed, to any dual-credit or dual-enrollment student on the basis of financial need.]

167.908. FEDERAL AID FOR STUDENTS IN CAREER AND TECHNICAL EDUCATION PROGRAMS — COMPLETION OF APPLICATION, PROCEDURE. — 1. The department of higher education and workforce development shall, by rule, establish a procedure for providing the means and capability for high school students enrolled in career and technical education programs described in section 170.029 to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act. The department shall work with school districts that deliver career and technical education programs to educate students on the value of the aid that is available to students through the federal Workforce Innovation and Opportunity Act.

2. To accomplish the purposes of subsection 1 of this section, the department shall ensure that the following percentages of all department of elementary and secondary education area career centers that deliver career and technical education programs have the means and capability for students at such schools to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act:

(1) For the 2022-23 school year, fifty percent;

(2) For the 2023-24 school year, seventy percent;

(3) For the 2024-25 school year, ninety percent; and

(4) For the 2025-26 school year and every school year thereafter, one hundred percent.

170.018. COMPUTER SCIENCE, ACADEMIC CREDIT FOR MATH, SCIENCE, OR PRACTICAL ARTS — WORK GROUP — ENDORSEMENT ON TEACHER CERTIFICATE — FUND, GRANTS — RULEMAKING AUTHORITY. — 1. (1) For purposes of this section, "computer science course" means a course in which students study computers and algorithmic processes, including their principles, hardware and software designs, implementation, and impact on society. The term shall include, but not be limited to, a stand-alone course at any elementary, middle, or high school or a course at any elementary or middle school that embeds computer science content within other subjects.

(2) The department of elementary and secondary education shall, before July 1, 2019, develop a high school graduation policy that allows a student to fulfill one unit of academic credit with a district-approved computer science course meeting the standards of subsection 2 of this section for any mathematics, science, or practical arts unit required for high school graduation. The policy shall require that all students have either taken all courses that require end-of-course examinations for math and science or are on track to take all courses that require end-of-course examinations for math and science under the Missouri school improvement program in order to receive credit toward high school graduation under this subsection.

(3) A school district shall communicate to students electing to use a computer science course for a mathematics unit that some institutions of higher education may require four units of academic credit in mathematics for college admission. The parent, guardian, or legal custodian of each student who chooses to take a computer science course to fulfill a unit of academic credit in mathematics shall sign and submit to the school district a document containing a statement acknowledging that taking a

computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions.

(4) The department of elementary and secondary education and the department of higher education and workforce development shall cooperate in developing and implementing academic requirements for computer science courses offered in any grade or grades not lower than the ninth nor higher than the twelfth grade.

2. (1) The department of elementary and secondary education shall convene a work group to develop and recommend rigorous academic performance standards relating to computer science for students in kindergarten and in each grade not higher than the twelfth grade. The work group shall include, but not be limited to, educators providing instruction in kindergarten or in any grade not higher than the twelfth grade and representatives from the department of elementary and secondary education, the department of higher education and workforce development, business and industry, and institutions of higher education. The department of elementary and secondary education shall develop written curriculum frameworks relating to computer science that may be used by school districts. The requirements of section 160.514 shall not apply to this section.

(2) The state board of education shall adopt and implement academic performance standards relating to computer science beginning in the 2019-20 school year.

3. Before July 1, 2019, the department of elementary and secondary education shall develop a procedure by which any teacher who holds a certificate of license to teach under section 168.021 and demonstrates sufficient content knowledge of computer science shall receive a special endorsement on [his or her] the teacher's license signifying [his or her] the teacher's specialized knowledge in computer science.

4. (1) For purposes of this subsection, "eligible entity" means:

- (a) A local educational agency, or a consortium of local educational agencies, in the state, including charter schools that have declared themselves local educational agencies;
- (b) An institution of higher education in the state; or
- (c) A nonprofit or private provider of nationally recognized and high-quality computer science professional development, as determined by the department of elementary and secondary education.

(2) There is hereby created in the state treasury the "Computer Science Education Fund". The fund shall consist of all moneys that may be appropriated to it by the general assembly and any gifts, contributions, grants, or bequests received from private or other sources for the purpose of providing teacher professional development programs relating to computer science. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of grants to eligible entities as described in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(3) The state board of education shall award grants from the computer science education fund to eligible entities for the purpose of providing teacher professional development programs relating to computer science. An eligible entity wishing to receive such a grant shall submit an application to the department of elementary and secondary education addressing how the entity plans to:

- (a) Reach new and existing teachers with little computer science background;
- (b) Use effective practices for professional development;
- (c) Focus the training on the conceptual foundations of computer science;
- (d) Reach and support historically underrepresented students in computer science;
- (e) Provide teachers with concrete experience with hands-on, inquiry-based practices; and
- (f) Accommodate the particular needs of students and teachers in each district and school.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

5. (1) For all school years beginning on or after July 1, 2023, each public high school and charter high school shall offer at least one computer science course in an in-person setting or as a virtual or distance course option.

(2) Any computer science course or instruction offered under this subsection shall:

(a) Be of high quality as defined by the state board of education;

(b) Meet or exceed the computer science performance standards developed and adopted by the department of elementary and secondary education under this section; and

(c) For any computer science course offered by a public high school or charter high school, be offered in such school's course catalog.

(3) On or before June thirtieth of each school year, each school district shall submit to the department of elementary and secondary education a report for the current school year which shall include, but not be limited to:

(a) The names and course codes of computer science courses offered in each school in the district with a course description and which computer science performance standards are covered, to the extent such information is available;

(b) The number and percentage of students who enrolled in each computer science course, listed by the categories in subparagraphs a. to f. of this paragraph. If a category contains one to five students or contains a quantity of students that would allow the quantity of another category that contains five or fewer to be deduced, the number shall be replaced with a symbol:

a. Sex;

b. Race and ethnicity;

c. Special education status including, but not limited to, students receiving services under the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq., as amended) or Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794), as amended;

d. English language learner status;

e. Eligibility for free or reduced price meals; and

f. Grade level; and

(c) The number of computer science instructors at each school, listed by the following categories:

a. Applicable certifications;

b. Sex;

c. Race and ethnicity; and

d. Highest academic degree.

(4) On or before September thirtieth of each school year, the department of elementary and secondary education shall post the following on the department's website:

(a) Data received under paragraphs (a) and (b) of subdivision (3) of this subsection, disaggregated by school and aggregated statewide; and

(b) Data received under paragraph (c) of subdivision (3) of this subsection, aggregated statewide.

(5) On or before June thirtieth of each school year, the department of elementary and secondary education shall publish a list of computer science course codes and names with a course description and an indication of which courses meet or exceed the department of elementary and secondary education's computer science performance standards.

6. The department of elementary and secondary education shall appoint a computer science supervisor. The computer science supervisor shall be responsible for implementing the provisions of this section.

7. For all school years beginning on or after July 1, 2023, a computer science course successfully completed and counted toward state graduation requirements shall be equivalent to one science course or one practical arts credit for the purpose of satisfying any admission requirements of any public institution of higher education in this state.

8. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after December 18, 2018, shall be invalid and void.

170.036. COMPUTER SCIENCE EDUCATION TASK FORCE, MEMBERS, MISSION — SUMMARY — TASK FORCE TO DISSOLVE, WHEN. — 1. There is hereby established the "Computer Science Education Task Force" within the department of elementary and secondary education.

2. The task force shall consist of the following members:

(1) Two members of the house of representatives, with one member to be appointed by the speaker of the house of representatives and one member to be appointed by the minority leader of the house of representatives;

(2) Two members of the senate, with one member to be appointed by the president pro tempore of the senate and one member to be appointed by the minority leader of the senate;

(3) The governor or the governor's designee;

(4) The commissioner of education or the commissioner's designee;

(5) The commissioner of higher education or the commissioner's designee; and

(6) Nine members who represent the interests of each of the following groups, to be appointed by the commissioner of education:

(a) The state board of education;

(b) Private industry in this state with interest in computer science;

(c) Nonprofit organizations;

(d) An association of school superintendents;

(e) A statewide association representing computer science teachers;

(f) A secondary teacher leader from career and technical education representing computer science teachers;

(g) An association of school board members;

(h) An association of elementary school principals; and

(i) An association of secondary school principals.

(7) A representative from a Missouri institution of higher education, to be appointed by the commissioner of higher education; and

(8) A representative from a Missouri private, nonprofit institution of higher education, to be appointed by the commissioner of higher education.

3. The mission of the computer science education task force shall be to develop a state strategic plan for expanding a statewide computer science education program, including the following:

(1) A statement of purpose that describes the objectives or goals the state board of education will accomplish by implementing a computer science education program, the strategies by which those goals will be achieved, and a timeline for achieving those goals;

(2) A summary of the current state landscape for K-12 computer science education, including demographic reporting of students taking these courses;

(3) A plan for expanding computer science education opportunities to every school in the state within five years and increasing the representation of students from traditionally underserved groups, in computer science including female students, students from historically underrepresented racial and ethnic groups, students with disabilities, English-language learner students, students who qualify for free and reduced-price meals, and rural students;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(4) Within one year of the task force forming, a plan for schools serving any student in grades kindergarten through eighth grade to provide instruction in the basics of computer science and computation thinking in an integrated or standalone format beginning in the 2024-25 school year without creating learning loss in the existing curriculum;

(5) A plan for ensuring teachers are well-prepared to begin teaching computer science, including defining high quality professional learning for in-service teachers and strategies for pre-service teacher preparation;

(6) A plan for ensuring teachers are well-prepared to begin teaching computer science, including defining high-quality professional learning for in-service teachers and strategies for pre-service teacher preparation;

(7) An ongoing evaluation process that is overseen by the state board of education;

(8) Proposed rules that incorporate the principles of the master plan into the state's public education system as a whole; and

(9) A plan to ensure long-term sustainability for computer science education.

4. The speaker of the house of representatives shall designate the chair of the task force, and the president pro tempore of the senate shall designate the vice chair of the task force.

5. Members of the task force shall serve without compensation, but the members and any staff assigned to the task force shall receive reimbursement for actual and necessary expenses incurred in attending meetings of the task force or any subcommittee thereof. All task force members shall be subject to the same conflict of interest provisions in chapter 105 that are enforced by the Missouri ethics commission in the same manner that elected or appointed officials and employees are subject to such provisions.

6. The task force shall hold its first meeting within three months from the effective date of this section.

7. Before June 30, 2023, the task force shall present a summary of its activities and any recommendations for legislation to the general assembly.

8. The computer science education task force shall dissolve on June 30, 2024.

173.280. COMPENSATION OF STUDENT ATHLETES PERMITTED, WHEN — GRANT-IN-AID OR STIPEND ELIGIBILITY NOT IMPACTED, WHEN — FINANCIAL DEVELOPMENT PROGRAM, PURPOSE — CIVIL ACTION, WHEN — APPLICABILITY. — 1. As used in this section, the following terms mean:

(1) "Postsecondary educational institution", any campus of a public or private institution of higher education in this state that is subject to the coordinating board for higher education under section 173.005;

(2) "Student athlete", an individual who participates or has participated in an intercollegiate sport for a postsecondary educational institution. Student athlete shall not be construed to apply to an individual's participation in a college intramural sport or in a professional sport outside of intercollegiate athletics;

(3) "Third party", any individual or entity, including any athlete agent, other than a postsecondary educational institution, athletic conference, or athletic association.

2. (1) No postsecondary educational institution shall uphold any rule, requirement, standard, or other limitation that prevents a student of that institution from fully participating in intercollegiate athletics without penalty and earning compensation as a result of the use of the student's name, image, likeness rights, or athletic reputation. A student athlete earning compensation from the use of a student's name, image, likeness rights, or athletic reputation shall not affect such student athlete's grant-in-aid or stipend eligibility, amount, duration, or renewal.

(2) No postsecondary educational institution shall interfere with or prevent a student from fully participating in intercollegiate athletics or obtaining professional representation in relation to contracts

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or legal matters, including, but not limited to, representation provided by athlete agents, financial advisors, or legal representation provided by attorneys.

3. A grant-in-aid or stipend from the postsecondary educational institution in which a student is enrolled shall not be construed to be compensation for use of the student's name, image, likeness rights, or athletic reputation for purposes of this section, and no grant-in-aid or stipend shall be revoked or reduced as a result of a student earning compensation under this section.

4. (1) No student athlete shall enter into an apparel, equipment, or beverage contract providing compensation to the athlete for use of the athlete's name, image, likeness rights, or athletic reputation if the contract requires the athlete to display a sponsor's apparel, equipment, or beverage or otherwise advertise for the sponsor during official team activities if such provisions are in conflict with a provision of the postsecondary institution's current licenses or contracts.

(2) (a) Except with the prior written consent of the student athlete's postsecondary educational institution, a student athlete shall not enter into a contract for compensation for the use of such student athlete's name, image, likeness rights, or athletic reputation, if such institution determines that a term of the contract conflicts with a term of a contract to which such institution is a party.

(b) A postsecondary educational institution or any officer, director, or employee of such institution, including but not limited to a coach, member of the coaching staff, or any individual associated with the institution's athletic department, may identify or otherwise assist with opportunities for a student athlete to earn compensation from a third party for the use of the student athlete's name, image, likeness rights, or athletic reputation, provided that such individual shall not:

a. Serve as the athlete's agent;

b. Receive compensation from the student athlete or a third party for facilitating or enabling such opportunities;

c. Attempt to influence an athlete's choice of professional representation related to such opportunities;

d. Attempt to reduce such athlete's opportunities from competing third parties; or

e. Be present at any meeting between a student athlete and a third party who provides for a student athlete's compensation, where the student athlete's name, image, likeness rights, or athletic reputation contract for compensation is negotiated or completed.

(3) Before any contract for compensation for the use of a student athlete's name, image, likeness rights, or athletic reputation is executed, and before any compensation is provided to the student athlete in advance of a contract, the student athlete shall disclose that contract to his or her postsecondary educational institution in a manner prescribed by such institution.

(4) A postsecondary educational institution or any officer, director, or employee of such institution or entity shall not compensate ~~or cause compensation to be directed to~~ a student athlete, prospective student athlete, or the family of such individuals, or cause compensation to be directed to a prospective student athlete, or the family of a student athlete or the family of a prospective student athlete, for the use of such student athlete or prospective student athlete's name, image, likeness rights, or athletic reputation.

5. No contract of a postsecondary educational institution's athletic program shall prevent a student athlete from receiving compensation for using the student athlete's name, image, likeness rights, or athletic reputation for a commercial purpose when the athlete is not engaged in official mandatory team activities that are recorded in writing and can be made publicly available upon request.

6. (1) Postsecondary educational institutions that enter into commercial agreements that directly or indirectly require the use of a student athlete's name, image, likeness, or athletic reputation shall conduct a financial development program once per year for their athletes.

(2) The financial development program shall not include any marketing, advertising, referral, or solicitation by providers of financial products or services. Such program shall, at a minimum, include information concerning financial aid, debt management, and a recommended budget for student athletes

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based on the current year's cost of attendance. The workshop shall also include information on time management skills necessary for success as a student athlete and available academic resources.

(3) Postsecondary educational institutions shall help distribute informational materials for such programs as needed.

(4) Postsecondary educational institutions shall inform their athletes of such program meetings and provide appropriate meeting space.

7. Student athlete representation shall be by attorneys or agents licensed by this state.

8. (1) Any student athlete may bring a civil action against third parties that violate this section for appropriate injunctive relief or actual damages, or both. Such action shall be brought in the county where the violation occurred, or is about to occur, and the court shall award damages and court costs to a prevailing plaintiff.

(2) Student athletes bringing an action under this section shall not be deprived of any protections provided under law with respect to a controversy that arises and shall have the right to adjudicate claims that arise under this section.

9. No legal settlement shall conflict with the provisions of this section.

10. This section shall apply only to agreements or contracts entered into, modified, or renewed on or after August 28, 2021. Such agreements or contracts include, but are not limited to, the national letter of intent, an athlete's financial aid agreement, commercial contracts in the athlete group licensing market, and athletic conference or athletic association rules or bylaws.

173.831. WORKFORCE DIPLOMA PROGRAM — DEFINITIONS — PROGRAM PROVIDERS, QUALIFICATIONS, APPROVAL, PAYMENT OF PROVIDERS — REPORT, CONTENTS — SURVEY, CONTENTS — DEPARTMENT REVIEW — FUND CREATED, USE OF MONEYS — RULES — SUNSET PROVISION. — 1. As used in this section, the following terms mean:

(1) "Academic skill intake assessment", a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third-party research;

(2) "Accredited", holding an active accreditation from one of the seven United States regional accreditors including, but not limited to, the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

(3) "Adult dropout recovery services", includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma and pathway to post secondary education opportunities;

(4) "Approved program provider", a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section or any consortium of such entities;

(5) "Average cost per graduate", the amount of the total program funding reimbursed to an approved program provider for each cohort during the period of time from the beginning of the same cohort through the subsequent twelve months after the close of the same cohort, divided by the total number of students who graduated from the same cohort within twelve months after the close of the same cohort or enrollment in postsecondary education;

(6) "Career pathways coursework", one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

(7) "Career placement services", services designed to assist students in obtaining employment, such as career interest self-assessments and job search skills such as resume development and mock interviews;

(8) "Coaching", proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

(9) "Cohort", students who enter the program between July first and June thirtieth of each program year;

(10) "Department", the department of elementary and secondary education;

(11) "Employability skills certification", a certificate earned by demonstrating professional nontechnical skills through assessment, portfolio, or observation;

(12) "Graduate", a student who has successfully completed all of the state and approved program provider requirements in order to obtain a high school diploma;

(13) "Graduation rate", the total number of graduates from a cohort who graduated within twelve months after the close of the cohort divided by the total number of students included in the same cohort;

(14) "Graduation requirements", course and credit requirements for the approved program provider's accredited high school diploma;

(15) "High school diploma", a diploma issued by an accredited institution;

(16) "Industry-recognized credential", an education-related credential or work-related credential that verifies an individual's qualification or competence issued by a third party with the relevant authority to issue such credential;

(17) "Learning plan", a documented plan for courses or credits needed for each individual in order to complete program and approved program provider graduation requirements;

(18) "Mentoring", a direct relationship between a coach and a student to facilitate the completion of the student's learning plan designed to prepare the student to succeed in the program and the student's future endeavors;

(19) "Milestones", objective measures of progress for which payment is made to an approved program provider under this section such as earned units of high school credit, attainment of an employability skills certificate, attainment of an industry-recognized credential, attainment of a technical skills assessment, and attainment of an accredited high school diploma;

(20) "Program", the workforce diploma program established in this section;

(21) "Request for qualifications", a request for interested potential program providers to submit evidence that they meet the qualifications established in subsection 3 of this section;

(22) "Stackable credential", a third party credential that is part of a sequence of credentials that can be accumulated over time to build up an individual's qualifications to advance along a career pathway;

(23) "Student", a participant in the program established in this section who is twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned a high school diploma;

(24) "Technical Skills Assessment", a criterion-referenced assessment of an individual's skills required for an entry-level career, additional training in a technical field, or other postsecondary opportunities;

(25) "Transcript evaluation", a documented summary of credits earned in previous public or private accredited high schools compared with the program and approved program provider graduation requirements;

(26) "Unit of high school credit", credit awarded based on a student's demonstration that the student has successfully met the content expectations for the credit area as defined by subject area standards, expectations, or guidelines.

2. There is hereby established the "Workforce Diploma Program" within the department of elementary and secondary education to assist students with obtaining a high school diploma and developing employability and career technical skills. The program may be delivered in campus-based, blended, or online modalities.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a request for qualifications for interested program providers to become approved program providers and participate in the program.

(2) Each approved program provider shall meet all of the following qualifications:

(a) Be an accredited high school diploma-granting entity;

(b) Have a minimum of two years of experience providing adult dropout recovery services;

(c) Provide academic skill intake assessments and transcript evaluations to each student. Such academic skill intake assessments may be administered in person or online;

(d) Develop a learning plan for each student that integrates graduation requirements and career goals;

(e) Provide a course catalog that includes all courses necessary to meet graduation requirements;

(f) Offer remediation opportunities in literacy and numeracy, as applicable;

(g) Offer employability skills certification, as applicable;

(h) Offer career pathways coursework, as applicable;

(i) Ability to provide preparation for industry-recognized credentials or stackable credentials, a technical skills assessment, or a combination thereof; and

(j) Offer career placement services, as applicable.

(3) Upon confirmation by the department that an interested program provider meets all of the qualifications listed in subdivision (2) of this subsection, an interested program provider shall become an approved program provider.

4. (1) The department shall announce the approved program providers before October sixteenth annually, with authorization for the approved program providers to begin enrolling students before November fifteenth annually.

(2) Approved program providers shall maintain approval without reapplying annually if the approved program provider has not been removed from the approved program provider list under this section.

5. All approved program providers shall comply with requirements as provided by the department to ensure:

(1) An accurate accounting of a student's accumulated credits toward a high school diploma;

(2) An accurate accounting of credits necessary to complete a high school diploma; and

(3) The provision of coursework aligned to the academic performance standards of the state.

6. (1) Except as provided in subdivision (2) of this subsection, the department shall pay an amount as set by the department to approved program providers for the following milestones provided by the approved program provider:

(a) Completion of each half unit of high school credit;

(b) Attainment of an employability skills certification;

(c) Attainment of an industry-recognized credential, technical skills assessment, or stackable credential requiring no more than fifty hours of training;

(d) Attainment of an industry-recognized credential or stackable credential requiring at least fifty-one but no more than one hundred hours of training;

(e) Attainment of an industry-recognized credential or stackable credential requiring more than one hundred hours of training; and

(f) Attainment of an accredited high school diploma.

(2) No approved program provider shall receive funding for a student under this section if the approved program provider receives federal or state funding or private tuition for that student. No approved program provider shall charge student fees of any kind including, but not limited to, textbook fees, tuition fees, lab fees, or participation fees unless the student chooses to obtain additional education offered by the approved program provider that is not included in the state-funded program.

(3) Payments made under this subsection shall be subject to an appropriation made to the department for such purposes.

7. (1) Approved program providers shall submit monthly invoices to the department before the eleventh calendar day of each month for milestones met in the previous calendar month.

(2) The department shall pay approved program providers in the order in which invoices are submitted until all available funds are exhausted.

(3) The department shall provide a written update to approved program providers by the last calendar day of each month. The update shall include the aggregate total dollars that have been paid to approved program providers to date and the estimated number of enrollments still available for the program year.

8. Before July sixteenth of each year, each provider shall report the following metrics to the department for each individual cohort, on a cohort-by-cohort basis:

(1) The total number of students who have been funded through the program;

(2) The total number of credits earned;

(3) The total number of employability skills certifications issued;

(4) The total number of industry-recognized credentials, stackable credentials, and technical skills assessments earned for each tier of funding;

(5) The total number of graduates;

(6) The average cost per graduate once the stipulated time to make such a calculation has passed; and

(7) The graduation rate once the stipulated time to make such a calculation has passed.

9. (1) Before September sixteenth of each year, each approved program provider shall conduct and submit to the department the aggregate results of a survey of each individual cohort, on a cohort-by-cohort basis, who graduated from the program of the approved program provider under this section. The survey shall be conducted in the year after the year in which the individuals graduate and the next four consecutive years.

(2) The survey shall include at least the following data collection elements for each year the survey is conducted:

(a) The individual's employment status, including whether the individual is employed full time or part time;

(b) The individual's hourly wages;

(c) The individual's access to employer-sponsored health care; and

(d) The individual's postsecondary enrollment status, including whether the individual has completed a postsecondary certificate or degree program.

10. (1) Beginning at the end of the second fiscal year of the program, the department shall review data from each approved program provider to ensure that each is achieving minimum program performance standards including, but not limited to:

(a) A minimum fifty percent average graduation rate per cohort; and

(b) An average cost per graduate per cohort of seven thousand dollars or less.

(2) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection shall be placed on probationary status for the remainder of the fiscal year by the department.

(3) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection for two consecutive years shall be removed from the approved program provider list by the department.

11. (1) No approved program provider shall discriminate against a student on the basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.

(2) If an approved program provider determines that a student would be better served by participating in a different program, the approved program provider may refer the student to the state's adult basic education services.

12. (1) There is hereby created in the state treasury the "Workforce Diploma Program Fund", which shall consist of any grants, gifts, donations, bequests, or moneys appropriated under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

13. The director of the department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

14. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

15. If any provision of this section or its application to any person or circumstance is held invalid, such determination shall not affect the provisions or applications of the remainder of this act which may be given effect without the invalid provision or application, and to that end the provisions of this section are severable.

173.1200. POLICY TO ADVISE STUDENTS AND STAFF ON AVAILABLE SUICIDE PREVENTION PROGRAMS — POSTING ON WEBSITE — ANONYMOUS REPORTING. — 1. Each public institution of higher education shall develop and implement a policy to advise students and staff on suicide prevention programs available on and off campus that includes, but is not limited to:

(1) Crisis intervention access, which includes information for national, state, and local suicide prevention hotlines;

(2) Mental health program access, which provides information on the availability of local mental health clinics, student health services, and counseling services;

(3) Multimedia application access, which includes crisis hotline contact information, suicide warning signs, resources offered, and free-of-cost applications;

(4) Student communication plans, which consist of creating outreach plans regarding educational and outreach activities on suicide prevention; and

(5) Post intervention plans, which include creating a strategic plan to communicate effectively with students, staff, and parents after the loss of a student to suicide.

2. Such policy shall also advise students, faculty, and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior, and shall provide for training, where appropriate.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

3. Each public institution of higher education shall provide all incoming students with information about depression and suicide prevention resources available to students. The information provided to students shall include available mental health services and other support services, including student-run organizations for individuals at risk of or affected by suicide.

4. The information prescribed by subdivisions (1) through (4) of subsection 1 of this section shall be posted on the website of each institution of higher education in this state.

5. Any applicable free-of-cost prevention materials or programs shall be posted on the websites of the public institutions of higher education and the department of higher education and workforce development.

6. (1) Each public institution of higher education shall establish and maintain methods of anonymous reporting concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of such activities.

(2) Such methods shall ensure that the identity of the reporting party remains unknown to all persons and entities, including law enforcement officers and employees or other persons, except when criminal, civil, or administrative action is initiated regarding unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of such activities.

7. (1) Beginning July 1, 2023, a public institution of higher education that issues student identification cards shall have printed on either side of the cards the three-digit dialing code that directs calls and routes text messages to the Suicide and Crisis Lifeline, 988.

(2) If, on July 1, 2023, a public institution of higher education subject to the requirements of this subsection has a supply of unissued student identification cards that do not comply with the requirements of subdivision (1) of this subsection, the institution shall issue those cards until that supply is depleted.

(3) Subdivision (1) of this subsection shall apply to a student identification card issued for the first time to a student and to a card issued to replace a damaged or lost card.

173.1352. ADVANCED PLACEMENT EXAMS, UNDERGRADUATE COURSE CREDIT, WHEN. —

1. As used in this section, the following terms mean:

(1) "Advanced placement examination", any examination administered through the College Board's Advanced Placement Program (AP);

(2) "Institution", any in-state public community college, college, or university that offers postsecondary freshman-level courses.

2. (1) Each institution shall adopt and implement a policy to grant undergraduate course credit to entering freshman students for each advanced placement examination upon which such student achieves a score of three or higher for any similarly correlated course offered by the institution at the time of such student's acceptance into the institution.

(2) In the policy, the institution shall:

(a) Establish the institution's conditions for granting course credit; and

(b) Identify the specific course credit or other academic requirements of the institution, including the number of semester credit hours or other course credit, that the institution will grant to a student who achieves required scores on advanced placement examinations.

3. On request of an applicant for admission as an entering freshman, and based on information provided by the applicant, an institution shall determine and notify the applicant regarding:

(1) The amount and type of any course credit that would be granted to the applicant under the policy; and

(2) Any other academic requirement that the applicant would satisfy under the policy.

173.2500. DUAL CREDIT PROVIDERS — DEFINITIONS — APPLICATION PROCEDURE — RULEMAKING AUTHORITY — FUND CREATED. — 1. As used in this section, the following terms shall mean:

(1) "Approved dual credit provider", a board approved, accredited Missouri higher education institution that provides dual credit courses;

(2) "Approved dual enrollment provider", any institution as defined in section 173.1102;

(3) "Board", coordinating board for higher education;

~~[(3)]~~ (4) "Department", department of higher education and workforce development;

~~[(4)]~~ (5) "Dual credit courses", college level coursework delivered by a postsecondary education institution and taught in the high school by instructors with appropriate academic credentials to high school students who are earning high school and college credit simultaneously;

(6) "Dual enrollment course", a postsecondary course of instruction delivered by an approved dual enrollment provider in which a secondary school student is concurrently enrolled in a Missouri high school and the approved dual enrollment provider.

2. Each institution of higher education desiring to become or remain an approved dual credit provider in this state shall annually make written application to the board on forms furnished by the board. Such application shall include at a minimum the identification of all locations where the institution will offer dual credit courses, the courses the institution plans to offer, and the fee the institution will charge students per credit hour.

3. The department shall review the application and may conduct an investigation of the applicant to ensure compliance with the rules and regulations promulgated under this section. A dual credit course ~~[may]~~ shall not be advertised or represented as being delivered by an approved dual credit provider in the absence of approval of the application by the board.

4. The department shall maintain a listing of all approved dual credit providers and shall make that listing publicly available, including through appropriate electronic media.

5. The board may promulgate administrative rules to implement this section, including parameters for the approval of dual credit providers and establishing appropriate fees as needed to generate funding sufficient to cover the entirety of costs associated with operation of the dual credit provider certification process established in this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. (1) There is hereby created in the state treasury the "Dual Credit Certification Fund", which shall consist of ~~[money]~~ moneys collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and ~~[money]~~ moneys in the fund shall be used solely by the department for the purpose of funding the costs associated with the operation of the dual credit certification process authorized by this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

173.2505. SCHOLARSHIP ELIGIBILITY — AMOUNT OF SCHOLARSHIP, LIMITATION — FUND CREATED. — 1. This section shall be known and may be cited as the "Dual Credit and Dual Enrollment Scholarship Act".

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

2. To be eligible to receive the dual credit or dual enrollment scholarship, or both, a student shall:
 - (1) Be a United States citizen or permanent resident;
 - (2) Be a Missouri resident as defined by the coordinating board for higher education pursuant to section 173.005;
 - (3) Be enrolled in a dual credit [program] or dual enrollment course offered by an approved dual credit provider or an approved dual enrollment provider, as defined in section 173.2500;
 - (4) Have a cumulative high school grade point average of at least two and a half on a four point scale or equivalent; and
 - (5) Meet one or more of the following indicators of economic need:
 - (a) Be individually eligible to be enrolled in a federal free or reduced-price lunch program, based on income levels established by the United States Department of Agriculture;
 - (b) Reside in a foster home, be a ward of the state, or be homeless as defined by Subtitle VII-B of the federal McKinney-Vento Homeless Assistance Act; or
 - (c) Receive as part of such student's immediate family low-income public assistance, such as the Supplemental Nutrition Assistance Program (SNAP) or the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), or live in federally subsidized public housing.
3. The dual credit and dual enrollment scholarship is hereby created to provide financial assistance to high school students enrolling in dual credit or dual enrollment courses offered by an approved dual credit or dual enrollment provider [as defined in section 173.2500]. The coordinating board may promulgate rules for the administration of the program including establishing the application, eligibility, and payment procedures. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.
4. Subject to appropriation, [the dual credit scholarship shall reimburse] each eligible [students for up to fifty percent of] student shall be offered a dual credit or dual enrollment scholarship equal to the tuition [cost] and fees paid by the student to enroll in a dual credit or dual enrollment course offered by an approved dual credit or dual enrollment provider.
5. [No student shall receive in excess of five hundred dollars annually for all dual credit courses taken by such student.]
6. There is hereby created in the state treasury the "Dual Credit and Dual Enrollment Scholarship Fund", which shall consist of moneys appropriated to the fund by the general assembly and private donations made to the fund. The state treasurer shall be the custodian of the fund and shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

513.430. PROPERTY EXEMPT FROM ATTACHMENT — CONSTRUCTION OF SECTION. — 1.

The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

- (1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract, and up to fifteen thousand dollars of any matured life insurance proceeds for actual funeral, cremation, or burial expenses where the deceased is the spouse, child, or parent of the beneficiary;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) a. Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.014, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

[a.] (i) Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

[b.] (ii) Such payment is on account of age or length of service; and

[c.] (iii) Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401(a), 403(a), 403(b), 408, 408A or 409));].

[except that] b. Notwithstanding the exemption provided in subparagraph a. of this paragraph, any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986 (26 U.S.C. Section 414(p)), as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked

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Matter underscored is proposed language.

personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan, or similar plan, including an inherited account or plan, that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986 (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A, or 409), as amended, whether such participant's or beneficiary's interest arises by inheritance, designation, appointment, or otherwise, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its department of social services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986 (26 U.S.C. Section 414(p)), as amended. If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

(12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five hundred dollars in value in the aggregate;

(13) Any moneys accruing to and deposited in individual savings accounts or individual deposit accounts under sections 166.400 to 166.456 or sections 166.500 to 166.529, subject to the following provisions:

(a) This subdivision shall apply to any proceeding that:

a. Is filed on or after January 1, 2022; or

b. Was filed before January 1, 2022, and is pending or on appeal after January 1, 2022;

(b) Except as provided by paragraph (c) of this subdivision, if the designated beneficiary of an individual savings account or individual deposit account established under sections 166.400 to 166.456 or sections 166.500 to 166.529 is a lineal descendant of the account owner, all moneys in the account shall be exempt from any claims of creditors of the account owner or designated beneficiary;

(c) The provisions of paragraph (b) of this subdivision shall not apply to:

a. Claims of any creditor of an account owner as to amounts contributed within a two-year period preceding the date of the filing of a bankruptcy petition under 11 U.S.C. Section 101 et seq., as amended; or

b. Claims of any creditor of an account owner as to amounts contributed within a one-year period preceding an execution on judgment for such claims against the account owner.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Sections 408 and 408A of the Internal Revenue Code of 1986 (26 U.S.C. Sections 408 and 408A), as amended.

Approved June 16, 2022

SS SCS SB 725

Enacts provisions relating to ground ambulance services.

AN ACT to repeal sections 190.053, 190.800, 190.803, 190.806, and 190.815, RSMo, and to enact in lieu thereof five new sections relating to ground ambulance services.

SECTION

- A Enacting clause.
- 190.053 Educational training required for board of directors.
- 190.800 Imposition of tax — definitions.
- 190.803 Formula for tax based on gross receipts — maximum rate — challenge of validity of rules.
- 190.806 Record-keeping requirements, confidentiality.
- 190.815 Rulemaking authority.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 190.053, 190.800, 190.803, 190.806, and 190.815, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 190.053, 190.800, 190.803, 190.806, and 190.815, to read as follows:

190.053. EDUCATIONAL TRAINING REQUIRED FOR BOARD OF DIRECTORS. — 1. All members of the board of directors of an ambulance district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of an ambulance district director;
- (2) A review of all state statutes and regulations relevant to ambulance districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. If any ambulance district board member fails to attend a training session within twelve months of taking office regardless of whether the board member received an attendance fee for a training session, the board member shall be ineligible to run for reelection for another term of office until the board member satisfies the training requirement of this section; however, this requirement shall only apply to board members elected after August 28, 2022.

190.800. IMPOSITION OF TAX — DEFINITIONS. — 1. Each ground ambulance service, except for any ambulance service owned and operated by an entity owned and operated by the state of Missouri, including but not limited to any hospital owned or operated by the board of curators, as defined in chapter 172, or any department of the state, shall, in addition to all other fees and taxes now required or paid, pay an ambulance service reimbursement allowance tax for the privilege of engaging in the business of providing ambulance services in this state.

2. For the purpose of this section, the following terms shall mean:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- (1) "Ambulance", the same meaning as such term is defined in section 190.100;
- (2) "Ambulance service", the same meaning as such term is defined in section 190.100;
- (3) "Engaging in the business of providing ambulance services in this state", accepting payment for such services[;
- (4) "Gross receipts", all amounts received by an ambulance service licensed under section 190.109 for its own account from the provision of all emergency services, as defined in section 190.100, to the public in the state of Missouri, but shall not include revenue from taxes collected under law, grants, subsidies received from governmental agencies, or the value of charity care].

190.803. FORMULA FOR TAX BASED ON GROSS RECEIPTS — MAXIMUM RATE — CHALLENGE OF VALIDITY OF RULES. — 1. Each ambulance service's reimbursement allowance shall be based on [its gross receipts using] a formula established by the department of social services by [rule. The determination of tax due shall be the monthly gross receipts reported to the department of social services multiplied by the tax rate established by rule by the department of social services. Such tax rate may be a graduated rate based on gross receipts and shall not exceed a rate of six percent per annum of gross receipts] regulations and rules as provided in section 190.836. The ambulance reimbursement allowance shall be consistent with permissible health care related taxes, as defined in 42 CFR 433, Subpart B, as amended.

2. Notwithstanding any other provision of law to the contrary, any action respecting the validity of the rules promulgated under this section or section 190.815 or 190.833 shall be filed in the circuit court of Cole County. The circuit court of Cole County shall hear the matter as the court of original jurisdiction.

190.806. RECORD-KEEPING REQUIREMENTS, CONFIDENTIALITY. — Each ambulance service shall keep such records as may be necessary to determine the amount of its reimbursement allowance. On or before the first day of October of each year, every ambulance service shall submit to the department of social services a statement that accurately reflects such information as is necessary to determine such ambulance service's reimbursement allowance tax. [Each licensed ambulance service shall report gross receipts to the department of social services.] The information obtained by the department of social services shall be confidential.

190.815. RULEMAKING AUTHORITY. — The director of the department of social services shall prescribe by rule the form and content of any document required to be filed under sections 190.800 to 190.836. [No later than November 30, 2009, the department of social services shall promulgate rules to implement the provisions of sections 190.830 to 190.836.]

Approved June 16, 2022

HCS SS#2 SCS SB 745

Enacts provisions relating to public utilities, with a delayed effective date for a certain section.

AN ACT to repeal sections 44.032, 144.010, 144.011, 144.030, 386.266, 386.890, 393.1400, 393.1640, 393.1655, 393.1715, 442.404, and 610.021, RSMo, and to enact in lieu thereof sixteen new sections relating to public utilities, with a delayed effective date for a certain section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

SECTION

- A Enacting clause.
- 44.032 Emergency powers of governor, uses — Missouri disaster fund, funding, expenditures, procedures, purposes — aid to political subdivisions, when, procedure — expenditures in excess of \$1,000, governor to approve.
- 144.010 Definitions.
- 144.011 Sale at retail not to include certain transfers.
- 144.030 Exemptions from state and local sales and use taxes.
- 386.266 Rate schedules for interim energy charges or periodic rate adjustment — application for approval, procedure — adjustment mechanisms — rulemaking authority — task force to be appointed — surveillance monitoring, requirements.
- 386.885 Task force on distributed energy resources and net metering established — members — report — meetings — study — expiration.
- 386.890 Citation of law — definitions — retail electric suppliers, duties — metering equipment requirements — electrical energy generation units, calculation, requirements — report — rules — liability for damages.
- 393.1072 Task force established — members, duties — report, contents — meetings — expiration.
- 393.1275 Regulatory asset or liability accounts — corporations to defer portion of local property taxes to account, how calculated — rate base adjustment, when.
- 393.1400 Deferral of depreciation to regulatory asset — return for qualifying electric plant recorded to plant-in-service on utility's books — definitions — regulatory asset balances — requirements — grid modernization projects — expiration date.
- 393.1640 Growth project, discount rate, when — requirements — expiration date.
- 393.1655 Rate modifications, limitations on — definitions.
- 393.1656 Electric corporation base rates — regulatory asset balance inclusion, impact cap, effect on — excess amount not included in rate base — definitions.
- 393.1715 Retirement of generating facilities, ratemaking principles and treatment as applied to base rates, retirement date, useful life, and depreciation — procedure — monitoring — retirement of coal-fixed generating assets in rate base — rulemaking authority.
- 442.404 Political signs, homeowners' associations not to prohibit — reasonable restrictions and removal permitted, when.
- 610.021 Closed meetings and closed records authorized when, exceptions.
- B Effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 44.032, 144.010, 144.011, 144.030, 386.266, 386.890, 393.1400, 393.1640, 393.1655, 393.1715, 442.404, and 610.021, RSMo, are repealed and sixteen new sections enacted in lieu thereof, to be known as sections 44.032, 144.010, 144.011, 144.030, 386.266, 386.885, 386.890, 393.1072, 393.1275, 393.1400, 393.1640, 393.1655, 393.1656, 393.1715, 442.404, and 610.021, to read as follows:

44.032. EMERGENCY POWERS OF GOVERNOR, USES — MISSOURI DISASTER FUND, FUNDING, EXPENDITURES, PROCEDURES, PURPOSES — AID TO POLITICAL SUBDIVISIONS, WHEN, PROCEDURE — EXPENDITURES IN EXCESS OF \$1,000, GOVERNOR TO APPROVE. — 1. (1) As used in this section, the term "rural electric cooperative" means any rural electric cooperative organized or operating under the provisions of chapter 394, any corporation organized on a nonprofit or

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Matter underscored is proposed language.

a cooperative basis as described in subsection 1 of section 394.200, or any electrical corporation operating under a cooperative business plan as described in subsection 2 of section 393.110.

(2) The general assembly recognizes the necessity for anticipating and making advance provisions to care for the unusual and extraordinary burdens imposed by disasters or emergencies on this state [and], its political subdivisions [by disasters or emergencies], and rural electric cooperatives. To meet such situations, it is the intention of the general assembly to confer emergency powers on the governor, acting through the director, and vesting the governor with adequate power and authority within the limitation of available funds in the Missouri disaster fund to meet any such emergency or disaster.

2. There is hereby established a fund to be known as the "Missouri Disaster Fund", to which the general assembly may appropriate funds and from which funds may be appropriated annually to the state emergency management agency. The funds appropriated shall be expended during a state emergency at the direction of the governor and upon the issuance of an emergency declaration which shall set forth the emergency and shall state that it requires the expenditure of public funds to furnish immediate aid and relief. The director of the state emergency management agency shall administer the fund.

3. Expenditures may be made upon direction of the governor for emergency management, as defined in section 44.010, or to implement the state disaster plans. Expenditures may also be made to meet the matching requirements of state and federal agencies for any applicable assistance programs.

4. Assistance may be provided from the Missouri disaster fund to political subdivisions of this state [which] and rural electric cooperatives that have suffered from a disaster to such an extent as to impose a severe financial burden exceeding the ordinary reserve capacity of the subdivision or rural electric cooperative affected. Applications for aid under this section shall be made to the state emergency management agency on such forms as may be prescribed and furnished by the agency, which forms shall require the furnishing of sufficient information to determine eligibility for aid and the extent of the financial burden incurred. The agency may call upon other agencies of the state in evaluating such applications. The director of the state emergency management agency shall review each application for aid under the provisions of this section and recommend its approval or disapproval, in whole or in part, to the governor. If approved, the governor shall determine and certify to the director of the state emergency management agency the amount of aid to be furnished. The director of the state emergency management agency shall thereupon issue [his] the director's voucher to the commissioner of administration, who shall issue [his] the commissioner's warrants therefor to the applicant.

5. When a disaster or emergency has been proclaimed by the governor or there is a national emergency, the director of the state emergency management agency, upon order of the governor, shall have authority to expend funds for the following:

(1) The purposes of sections 44.010 to 44.130 and the responsibilities of the governor and the state emergency management agency as outlined in sections 44.010 to 44.130;

(2) Employing, for the duration of the response and recovery to emergency, additional personnel and contracting or otherwise procuring necessary appliances, supplies, equipment, and transport;

(3) Performing services for and furnishing materials and supplies to state government agencies, counties, [and] municipalities, and rural electric cooperatives with respect to performance of any duties enjoined by law upon such agencies, counties, [and] municipalities, and rural electric cooperatives which they are unable to perform because of extreme natural or man-made phenomena, and receiving reimbursement in whole or in part from such agencies, counties, [and] municipalities, and rural electric cooperatives able to pay therefor under such terms and conditions as may be agreed upon by the director of the state emergency management agency and any such agency, county, [or] municipality, or rural electric cooperative;

(4) Performing services for and furnishing materials to any individual in connection with alleviating hardship and distress growing out of extreme natural or man-made phenomena, and receiving

reimbursement in whole or in part from such individual under such terms as may be agreed upon by the director of the state emergency management agency and such individual;

(5) Providing services to counties and municipalities with respect to quelling riots and civil disturbances;

(6) Repairing and restoring public infrastructure;

(7) Furnishing transportation for supplies to alleviate suffering and distress;

(8) Furnishing medical services and supplies to prevent the spread of disease and epidemics;

(9) Quelling riots and civil disturbances;

(10) Training individuals or governmental agencies for the purpose of perfecting the performance of emergency assistance duties as defined in the state disaster plans;

(11) Procurement, storage, and transport of special emergency supplies or equipment determined by the director to be necessary to provide rapid response by state government to assist counties and municipalities in impending or actual emergencies;

(12) Clearing or removing from publicly or privately owned land or water, debris and wreckage which may threaten public health or safety;

(13) Reimbursement to any urban search and rescue task force for any reasonable and necessary expenditures incurred in the course of responding to any declared emergency under this section; and

(14) Such other measures as are customarily necessary to furnish adequate relief in cases of catastrophe or disaster.

6. The governor may receive such voluntary contributions as may be made from any source to aid in carrying out the purposes of this section and shall credit the same to the Missouri disaster fund.

7. All obligations and expenses incurred by the governor in the exercise of the powers and duties vested by the provisions of this section shall be paid by the state treasurer out of available funds in the Missouri disaster fund, and the commissioner of administration shall draw warrants upon the state treasurer for the payment of such sum, or so much thereof as may be required, upon receipt of proper vouchers provided by the director of the state emergency management agency.

8. The provisions of this section shall be liberally construed in order to accomplish the purposes of sections 44.010 to 44.130 and to permit the governor to cope adequately with any emergency which may arise, and the powers vested in the governor by this section shall be construed as being in addition to all other powers presently vested in the governor and not in derogation of any existing powers.

9. Such funds as may be made available by the government of the United States for the purpose of alleviating distress from disasters may be accepted by the state treasurer and shall be credited to the Missouri disaster fund, unless otherwise specifically provided in the act of Congress making such funds available.

10. The foregoing provisions of this section notwithstanding, any expenditure or proposed series of expenditures which total in excess of one thousand dollars per project shall be approved by the governor prior to the expenditure.

144.010. DEFINITIONS. — 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person engages in business activities within this state or maintains a place of business in this state under section 144.605.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term gross receipts shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid. The term gross receipts shall not include usual and customary delivery charges that are stated separately from the sale price;

(5) "Instructional class", includes any class, lesson, or instruction intended or used for teaching;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as described in section 277.024, llamas, alpaca, buffalo, bison, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, honey bees, or rabbits raised in confinement for human consumption;

(7) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(8) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(9) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state;

(10) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(11) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

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Matter underscored is proposed language.

(12) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(13) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term sale at retail shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events, except amounts paid for any instructional class;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers, except as provided in subdivision (12) of subsection 1 of section 144.011;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(14) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(15) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require; and

(16) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

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- (b) Answering services and one-way paging services;
 - (c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or
 - (d) Cable or satellite television or music services.
2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term manufactured homes shall have the same meaning given it in section 700.010.
3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.011. SALE AT RETAIL NOT TO INCLUDE CERTAIN TRANSFERS. — 1. For purposes of this chapter, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

- (1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;
- (2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;
- (3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;
- (4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;
- (5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;
- (6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;
- (7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;
- (8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;
- (9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;
- (10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;
- (11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;
- (12) The purchase by persons operating hotels, motels, or other transient accommodation establishments of electricity, electrical current, water, and gas, whether natural or artificial, which are used to heat, cool, or provide water or power to the guests' accommodations of such establishments, including sleeping rooms, meeting and banquet rooms, and any other customer space rented by guests,

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and which are included in the charge made for such accommodations. Any person required to remit sales tax on such purchases prior to August 28, 2022, shall be entitled to a refund on such taxes remitted;

(13) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by this chapter was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by this chapter was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

~~[(13)]~~ (14) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes;

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.

144.030. EXEMPTIONS FROM STATE AND LOCAL SALES AND USE TAXES. — 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the

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provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term "product" includes telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term "manufacturing" has included and continues to include the production and transmission of "telecommunications services", as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political

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subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes,

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motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of

residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

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(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-

of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under section 67.1830 or 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

(a) Are sold or leased to an end user; or

(b) Are used to produce, collect and transmit electricity for resale or retail.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

386.266. RATE SCHEDULES FOR INTERIM ENERGY CHARGES OR PERIODIC RATE ADJUSTMENT — APPLICATION FOR APPROVAL, PROCEDURE — ADJUSTMENT MECHANISMS — RULEMAKING AUTHORITY — TASK FORCE TO BE APPOINTED — SURVEILLANCE MONITORING, REQUIREMENTS. — 1. Subject to the requirements of this section, any electrical corporation may make an application to the commission to approve rate schedules authorizing an interim energy charge, or periodic rate adjustments outside of general rate proceedings to reflect increases and decreases in its prudently incurred fuel and purchased-power costs, including transportation. The commission may, in accordance with existing law, include in such rate schedules features designed to provide the electrical corporation with incentives to improve the efficiency and cost-effectiveness of its fuel and purchased-power procurement activities.

2. Subject to the requirements of this section, any electrical, gas, or water corporation may make an application to the commission to approve rate schedules authorizing periodic rate adjustments outside of general rate proceedings to reflect increases and decreases in its prudently incurred costs, whether capital or expense, to comply with any federal, state, or local environmental law, regulation, or rule. Any rate adjustment made under such rate schedules shall not exceed an annual amount equal to two and one-half percent of the electrical, gas, or water corporation's Missouri gross jurisdictional revenues, excluding gross receipts tax, sales tax and other similar pass-through taxes not included in tariffed rates, for regulated services as established in the utility's most recent general rate case or complaint proceeding. In addition to the rate adjustment, the electrical, gas, or water corporation shall be permitted to collect any applicable gross receipts tax, sales tax, or other similar pass-through taxes, and such taxes shall not be counted against the two and one-half percent rate adjustment cap. Any costs not recovered as a result of the annual two and one-half percent limitation on rate adjustments may be deferred, at a carrying cost each month equal to the utilities net of tax cost of capital, for recovery in a subsequent year or in the corporation's next general rate case or complaint proceeding.

3. Subject to the requirements of this section, any gas or electrical corporation may make an application to the commission to approve rate schedules authorizing periodic rate adjustments outside of general rate proceedings to adjust rates of customers in eligible customer classes to account for the impact on utility revenues of increases or decreases in residential and commercial customer usage due to variations in either weather, conservation, or both. [No electrical corporation shall make an application to the commission under this subsection if such corporation has provided notice to the commission under subsection 5 of section 393.1400.] For purposes of this section: for electrical corporations, "eligible customer classes" means the residential class and classes that are not demand metered; and for gas corporations, "eligible customer classes" means the residential class and the smallest general service class. As used in this subsection, "revenues" means the revenues recovered through base rates, and does not include revenues collected through a rate adjustment mechanism authorized by this section or any other provisions of law. This subsection shall apply to electrical corporations beginning January 1, 2019, and shall expire for electrical corporations on January 1, 2029.

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Matter underscored is proposed language.

An electrical corporation may make a one-time application to the commission under this subsection if such corporation has provided notice to the commission under subsection 5 of section 393.1400, provided the corporation shall not concurrently utilize electric rate adjustments under this subsection and the deferrals set forth in subsection 5 of section 393.1400.

4. Subject to the requirements of this section, a water corporation with more than eight thousand Missouri retail customers may make an application to the commission to approve rate schedules authorizing periodic rate adjustments outside of general rate proceedings to ensure revenues billed by such water corporation for regulated services equal the revenue requirement for regulated services as established in the water corporation's most recent general rate proceeding or complaint proceeding, excluding any other commission-approved surcharges and gross receipts tax, sales tax, and other similar pass-through taxes not included in tariffed rates, due to any revenue variation resulting from increases or decreases in residential, commercial, public authority, and sale for resale usage.

5. The commission shall have the power to approve, modify, or reject adjustment mechanisms submitted under subsections 1 to 4 of this section only after providing the opportunity for a full hearing in a general rate proceeding, including a general rate proceeding initiated by complaint. The commission may approve such rate schedules after considering all relevant factors which may affect the costs or overall rates and charges of the corporation, provided that it finds that the adjustment mechanism set forth in the schedules:

(1) Is reasonably designed to provide the utility with a sufficient opportunity to earn a fair return on equity;

(2) Includes provisions for an annual true-up which shall accurately and appropriately remedy any over- or under-collections, including interest at the utility's short-term borrowing rate, through subsequent rate adjustments or refunds;

(3) In the case of an adjustment mechanism submitted under subsections 1 and 2 of this section, includes provisions requiring that the utility file a general rate case with the effective date of new rates to be no later than four years after the effective date of the commission order implementing the adjustment mechanism. However, with respect to each mechanism, the four-year period shall not include any periods in which the utility is prohibited from collecting any charges under the adjustment mechanism, or any period for which charges collected under the adjustment mechanism must be fully refunded. In the event a court determines that the adjustment mechanism is unlawful and all moneys collected thereunder are fully refunded, the utility shall be relieved of any obligation under that adjustment mechanism to file a rate case;

(4) In the case of an adjustment mechanism submitted under subsection 1 or 2 of this section, includes provisions for prudence reviews of the costs subject to the adjustment mechanism no less frequently than at eighteen-month intervals, and shall require refund of any imprudently incurred costs plus interest at the utility's short-term borrowing rate.

6. Once such an adjustment mechanism is approved by the commission under this section, it shall remain in effect until such time as the commission authorizes the modification, extension, or discontinuance of the mechanism in a general rate case or complaint proceeding.

7. Any amounts charged under any adjustment mechanism approved by the commission under this section shall be separately disclosed on each customer bill.

8. The commission may take into account any change in business risk to the corporation resulting from implementation of the adjustment mechanism in setting the corporation's allowed return in any rate proceeding, in addition to any other changes in business risk experienced by the corporation.

9. In the event the commission lawfully approves an incentive- or performance-based plan, such plan shall be binding on the commission for the entire term of the plan. This subsection shall not be construed to authorize or prohibit any incentive- or performance-based plan.

10. Prior to August 28, 2005, for subsections 1 to 3 of this section, and upon August 28, 2018, for subsection 4 of this section, the commission shall have the authority to promulgate rules under the

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provisions of chapter 536 as it deems necessary, to govern the structure, content and operation of such rate adjustments, and the procedure for the submission, frequency, examination, hearing and approval of such rate adjustments. Any electrical, gas, or water corporation may apply for any adjustment mechanism under this section whether or not the commission has promulgated any such rules.

11. Nothing contained in this section shall be construed as affecting any existing adjustment mechanism, rate schedule, tariff, incentive plan, or other ratemaking mechanism currently approved and in effect.

12. Each of the provisions of this section is severable. In the event any provision or subsection of this section is deemed unlawful, all remaining provisions shall remain in effect.

13. The provisions of subsections 1 to 3 of this section shall take effect on January 1, 2006, and the commission shall have previously promulgated rules to implement the application process for any rate adjustment mechanism under subsections 1 to 3 of this section prior to the commission issuing an order for any such rate adjustment.

14. The public service commission shall appoint a task force, consisting of all interested parties, to study and make recommendations on the cost recovery and implementation of conservation and weatherization programs for electrical and gas corporations.

15. (1) Each public utility operating under a mechanism proposed and approved under subsection 3 of this section shall quarterly file a surveillance monitoring report, consisting of five parts. Each part, except the rate-base quantifications report, shall contain information for the last twelve-month period and the last quarter data for total company electric operations and Missouri jurisdictional operations. Rate-base quantifications shall contain only information for the ending date of the period being reported.

(2) Part one of the surveillance monitoring report shall be the rate-base quantifications report. The quantification of rate-base items in part one shall be consistent with the methods or procedures used in the most recent rate proceeding unless otherwise specified. The report shall consist of specific rate-base quantifications of:

- (a) Plant in service;
- (b) Reserve for depreciation;
- (c) Materials and supplies;
- (d) Cash working capital;
- (e) Fuel inventory, if applicable;
- (f) Prepayments;
- (g) Other regulatory assets;
- (h) Customer advances;
- (i) Customer deposits;
- (j) Accumulated deferred income taxes;
- (k) Any other item included in the electrical corporation's rate base in its most recent rate proceeding;

- (l) Net operating income from part three; and
- (m) Calculation of the overall return on rate base.

(3) Part two of the surveillance monitoring report shall be the capitalization quantifications report, which shall consist of specific capitalization quantifications of:

- (a) Common stock equity (net);
- (b) Preferred stock, par or stated value outstanding;
- (c) Long-term debt, including current maturities;
- (d) Short-term debt; and
- (e) Weighted cost of capital, including component costs.

(4) Part three of the surveillance monitoring report shall be the income statement, which shall consist of an income statement containing specific quantification of:

- (a) Operating revenues to include sales to industrial, commercial, and residential customers, sales for resale, and other components of total operating revenues;
 - (b) Operating and maintenance expenses for fuel expense, production expenses, purchased power energy and capacity, if applicable;
 - (c) Transmission expenses;
 - (d) Distribution expenses;
 - (e) Customer accounts expenses;
 - (f) Customer service and information expenses;
 - (g) Sales expenses;
 - (h) Administrative and general expenses;
 - (i) Depreciation, amortization, and decommissioning expense;
 - (j) Taxes other than income taxes;
 - (k) Income taxes; and
 - (l) Quantification of heating degree and cooling degree days, actual and normal.
- (5) Part four of the surveillance monitoring report shall be the jurisdictional allocation factor report, which shall consist of a listing of jurisdictional allocation factors for the rate base, capitalization quantification reports, and income statement.
- (6) Part five of the surveillance monitoring report shall be the financial data notes, which shall consist of notes to financial data including, but not limited to:
- (a) Out of period adjustments;
 - (b) Specific quantification of material variances between actual and budget financial performance;
 - (c) Material variances between current twelve-month period and prior twelve-month period revenue;
 - (d) Expense level of items ordered by the commission to be tracked under the order establishing the rate adjustment mechanism;
 - (e) Budgeted capital projects; and
 - (f) Events that materially affect debt or equity surveillance components.
- (7) This subsection shall expire on January 1, 2029.

386.885. TASK FORCE ON DISTRIBUTED ENERGY RESOURCES AND NET METERING ESTABLISHED — MEMBERS — REPORT — MEETINGS — STUDY — EXPIRATION. — 1. There is hereby established the "Task Force on Distributed Energy Resources and Net Metering", which shall be composed of the following members:

- (1) Two members of the senate, with one appointed by the president pro tempore of the senate and one appointed by the minority floor leader of the senate;
- (2) Two members of the house of representatives, with one appointed by the speaker of the house of representatives and one appointed by the minority floor leader of the house of representatives;
- (3) The director of the division of energy, or his or her designee, to serve as a member and to provide technical assistance to the task force;
- (4) The chair of the public service commission, or his or her designee, to serve as a member and to provide technical assistance;
- (5) The director of the office of public counsel, or his or her designee, to serve as a member and to provide technical assistance;
- (6) A representative from each of the three segments of the retail electric energy industry appointed by the president pro tempore of the senate from the respective nominees submitted by the statewide associations of the investor-owned electric utilities, rural electric cooperatives, and municipally-owned electric utilities;
- (7) One representative of the retail distributed energy resources industry appointed by the chair of the public service commission;

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Matter underscored is proposed language.

(8) One representative from an organization that advocates for policy supporting renewable energy development appointed by the chair of the public service commission; and

(9) One representative from an organization that advocates for the interests of low-income utility customers appointed by the chair of the public service commission.

2. The task force shall conduct public hearings and research, and shall compile a report for delivery to the general assembly by no later than December 31, 2023. Such report shall include information on the following:

(1) A distributed energy resources study, which shall include a value of solar study along with the practical and economic benefits, challenges, and drawbacks of increased distributed energy generation in the state;

(2) Potential legislation regarding community solar as operated by non-utility entities and the fair and equitable setting of rates between distributed generation and non-distributed generation consumers; and

(3) Potential legislation, including but not limited to changes to the Net Metering and Easy Connection Act, if any, that would promote the overall public interest.

3. The task force shall meet within thirty days after its creation and shall organize by selecting a chairperson and vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. Thereafter, the task force may meet as often as necessary in order to accomplish the tasks assigned to it. A majority of the task force shall constitute a quorum, and a majority vote of such quorum shall be required for any action.

4. The staff of house research and senate research shall provide necessary clerical, research, fiscal, and legal services to the task force, as the task force may request.

5. The division of energy shall oversee the distributed energy resources study to be selected and conducted by an independent and objective expert with input from the members of the task force. The cost of such study shall be paid for through funds available from federal and state grants applied for by the division of energy. The division of energy shall establish procedures for the submission and non-public disclosure of confidential and proprietary information.

6. The members of the task force shall serve without compensation, but may be reimbursed for any actual and necessary expenses incurred in the performance of the task force's official duties.

7. This section shall expire on December 31, 2023, or at the conclusion of the task force's work, whichever is sooner.

386.890. CITATION OF LAW — DEFINITIONS — RETAIL ELECTRIC SUPPLIERS, DUTIES — METERING EQUIPMENT REQUIREMENTS — ELECTRICAL ENERGY GENERATION UNITS, CALCULATION, REQUIREMENTS — REPORT — RULES — LIABILITY FOR DAMAGES. — 1. This section shall be known and may be cited as the "Net Metering and Easy Connection Act".

2. As used in this section, the following terms shall mean:

(1) "Avoided fuel cost", the current average cost of fuel for the entity generating electricity, as defined by the governing body with jurisdiction over any municipal electric utility, rural electric cooperative as provided in chapter 394, or electrical corporation as provided in this chapter;

(2) "Commission", the public service commission of the state of Missouri;

(3) "Customer-generator", the owner or operator of a qualified electric energy generation unit which:

(a) Is powered by a renewable energy resource;

(b) Has an electrical generating system with a capacity of not more than one hundred kilowatts;

(c) Is located on a premises owned, operated, leased, or otherwise controlled by the customer-generator;

(d) Is interconnected and operates in parallel phase and synchronization with a retail electric supplier and has been approved by said retail electric supplier;

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(e) Is intended primarily to offset part or all of the customer-generator's own electrical energy requirements;

(f) Meets all applicable safety, performance, interconnection, and reliability standards established by the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities; and

(g) Contains a mechanism that automatically disables the unit and interrupts the flow of electricity back onto the supplier's electricity lines in the event that service to the customer-generator is interrupted;

(4) "Department", the department of **[economic development]** natural resources;

(5) "Net metering", using metering equipment sufficient to measure the difference between the electrical energy supplied to a customer-generator by a retail electric supplier and the electrical energy supplied by the customer-generator to the retail electric supplier over the applicable billing period;

(6) "Renewable energy resources", electrical energy produced from wind, solar thermal sources, hydroelectric sources, photovoltaic cells and panels, fuel cells using hydrogen produced by one of the above-named electrical energy sources, and other sources of energy that become available after August 28, 2007, and are certified as renewable by the department;

(7) "Retail electric supplier" or "supplier", any **[municipal]** municipally owned electric utility operating under chapter 91, electrical corporation regulated by the commission under this chapter, or rural electric cooperative operating under chapter 394 that provides retail electric service in this state. An electrical corporation that operates under a cooperative business plan as described in subsection 2 of section 393.110 shall be deemed to be a rural electric cooperative for purposes of this section.

3. A retail electric supplier shall:

(1) Make net metering available to customer-generators on a first-come, first-served basis until the total rated generating capacity of net metering systems equals five percent of the **[utility's]** retail electric supplier's single-hour peak load during the previous year, after which the commission for **[a public utility]** an electrical corporation or the respective governing body **[for]** of other [electric utilities] retail electric suppliers may increase the total rated generating capacity of net metering systems to an amount above five percent. However, in a given calendar year, no retail electric supplier shall be required to approve any application for interconnection if the total rated generating capacity of all applications for interconnection already approved to date by said supplier in said calendar year equals or exceeds one percent of said supplier's single-hour peak load for the previous calendar year;

(2) Offer to the customer-generator a tariff or contract that is identical in electrical energy rates, rate structure, and monthly charges to the contract or tariff that the customer would be assigned if the customer were not an eligible customer-generator but shall not charge the customer-generator any additional standby, capacity, interconnection, or other fee or charge that would not otherwise be charged if the customer were not an eligible customer-generator; and

(3) Disclose annually the availability of the net metering program to each of its customers with the method and manner of disclosure being at the discretion of the supplier.

4. A customer-generator's facility shall be equipped with sufficient metering equipment that can measure the net amount of electrical energy produced or consumed by the customer-generator. If the customer-generator's existing meter equipment does not meet these requirements or if it is necessary for the retail electric supplier to install additional distribution equipment to accommodate the customer-generator's facility, the customer-generator shall reimburse the retail electric supplier for the costs to purchase and install the necessary additional equipment. At the request of the customer-generator, such costs may be initially paid for by the retail electric supplier, and any amount up to the total costs and a reasonable interest charge may be recovered from the customer-generator over the course of up to twelve billing cycles. Any subsequent meter testing, maintenance or meter equipment change necessitated by the customer-generator shall be paid for by the customer-generator.

5. Consistent with the provisions in this section, the net electrical energy measurement shall be calculated in the following manner:

(1) For a customer-generator, a retail electric supplier shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the customer-generator's consumption and production of electricity;

(2) If the electricity supplied by the supplier exceeds the electricity generated by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the supplier in accordance with normal practices for customers in the same rate class;

(3) If the electricity generated by the customer-generator exceeds the electricity supplied by the supplier during a billing period, the customer-generator shall be billed for the appropriate customer charges for that billing period in accordance with subsection 3 of this section and shall be credited an amount at least equal to the avoided fuel cost of the excess kilowatt-hours generated during the billing period, with this credit applied to the following billing period;

(4) Any credits granted by this subsection shall expire without any compensation at the earlier of either twelve months after their issuance or when the customer-generator disconnects service or terminates the net metering relationship with the supplier;

(5) For any rural electric cooperative under chapter 394, or [municipal] any municipally owned utility, upon agreement of the wholesale generator supplying electric energy to the retail electric supplier, at the option of the retail electric supplier, the credit to the customer-generator may be provided by the wholesale generator.

6. (1) Each qualified electric energy generation unit used by a customer-generator shall meet all applicable safety, performance, interconnection, and reliability standards established by any local code authorities, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories for distributed generation. No supplier shall impose any fee, charge, or other requirement not specifically authorized by this section or the rules promulgated under subsection 9 of this section unless the fee, charge, or other requirement would apply to similarly situated customers who are not customer-generators, except that a retail electric supplier may require that a customer-generator's system contain a switch, circuit breaker, fuse, or other easily accessible device or feature located in immediate proximity to the customer-generator's metering equipment that would allow a utility worker the ability to manually and instantly disconnect the unit from the utility's electric distribution system.

(2) For systems of ten kilowatts or less, a customer-generator whose system meets the standards and rules under subdivision (1) of this subsection shall not be required to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance beyond what is required under subdivision (1) of this subsection and subsection 4 of this section.

(3) For customer-generator systems of greater than ten kilowatts, the commission for [public utilities] electrical corporations and the respective governing body for other [utilities] retail electric suppliers shall, by rule or equivalent formal action by each respective governing body:

(a) Set forth safety, performance, and reliability standards and requirements; and

(b) Establish the qualifications for exemption from a requirement to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance.

7. (1) Applications by a customer-generator for interconnection of a qualified electric energy generation unit meeting the requirements of subdivision (3) of subsection 2 of this section to the distribution system shall be accompanied by the plan for the customer-generator's electrical generating system, including but not limited to a wiring diagram and specifications for the generating unit, and shall be reviewed and responded to by the retail electric supplier within thirty days of receipt for systems ten kilowatts or less and within ninety days of receipt for all other systems. Prior to the interconnection

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Matter underscored is proposed language.

of the qualified generation unit to the supplier's system, the customer-generator will furnish the retail electric supplier a certification from a qualified professional electrician or engineer that the installation meets the requirements of subdivision (1) of subsection 6 of this section. If the application for interconnection is approved by the retail electric supplier and the customer-generator does not complete the interconnection within one year after receipt of notice of the approval, the approval shall expire and the customer-generator shall be responsible for filing a new application.

(2) Upon the change in ownership of a qualified electric energy generation unit, the new customer-generator shall be responsible for filing a new application under subdivision (1) of this subsection.

8. Each [commission-regulated supplier] electrical corporation shall submit an annual net metering report to the commission, and all other [nonregulated] retail electric suppliers shall submit the same report to their respective governing body and make said report available to a consumer of the supplier upon request, including the following information for the previous calendar year:

- (1) The total number of customer-generator facilities;
- (2) The total estimated generating capacity of its net-metered customer-generators; and
- (3) The total estimated net kilowatt-hours received from customer-generators.

9. The commission shall, within nine months of January 1, 2008, promulgate initial rules necessary for the administration of this section for [public utilities] electrical corporations, which shall include regulations ensuring that simple contracts will be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

10. The governing body of a rural electric cooperative or municipal utility shall, within nine months of January 1, 2008, adopt policies establishing a simple contract to be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions.

11. For any cause of action relating to any damages to property or person caused by the qualified electric energy generation unit of a customer-generator or the interconnection thereof, the retail electric supplier shall have no liability absent clear and convincing evidence of fault on the part of the supplier.

12. The estimated generating capacity of all net metering systems operating under the provisions of this section shall count towards the respective retail electric supplier's accomplishment of any renewable energy portfolio target or mandate adopted by the Missouri general assembly.

13. The sale of qualified electric energy generation units to any customer-generator shall be subject to the provisions of sections 407.010 to 407.145 and sections 407.700 to 407.720. The attorney general shall have the authority to promulgate in accordance with the provisions of chapter 536 rules regarding mandatory disclosures of information by sellers of qualified electric energy generation units. Any interested person who believes that the seller of any qualified electric energy generation unit is misrepresenting the safety or performance standards of any such systems, or who believes that any electric energy generation unit poses a danger to any property or person, may report the same to the attorney general, who shall be authorized to investigate such claims and take any necessary and appropriate actions.

14. Any costs incurred under this act by a retail electric supplier shall be recoverable in that utility's rate structure.

15. No consumer shall connect or operate [an] a qualified electric energy generation unit in parallel phase and synchronization with any retail electric supplier without written approval by said supplier that all of the requirements under subdivision (1) of subsection 7 of this section have been met. For a consumer who violates this provision, a supplier may immediately and without notice disconnect the electric facilities of said consumer and terminate said consumer's electric service.

16. The manufacturer of any qualified electric energy generation unit used by a customer-generator may be held liable for any damages to property or person caused by a defect in the qualified electric energy generation unit of a customer-generator.

17. The seller, installer, or manufacturer of any qualified electric energy generation unit who knowingly misrepresents the safety aspects of [an] a qualified electric generation unit may be held liable for any damages to property or person caused by the qualified electric energy generation unit of a customer-generator.

393.1072. TASK FORCE ESTABLISHED — MEMBERS, DUTIES — REPORT, CONTENTS — MEETINGS — EXPIRATION. — 1. There is hereby established the "Task Force on Fair, Nondiscriminatory Local Taxation Concerning Solar Energy Systems", which shall be composed of the following members:

(1) Three members of the house of representatives, with not more than two members from the same political party and each member to be appointed by the speaker of the house of representatives;

(2) Three members of the senate, with not more than two members from the same political party and each member to be appointed by the president pro tempore of the senate;

(3) Two currently elected county assessors from Missouri county governments, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate;

(4) Two representatives from the Missouri state tax commission to be appointed by the commissioners of the Missouri state tax commission;

(5) Two representatives from a state-wide agricultural organization, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate;

(6) Two representatives from the private sector with experience in utility-scale solar energy development and operation, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate; and

(7) One member from an organization that advocates for policy supporting solar energy appointed by the chair of the public service commission.

2. The task force shall conduct public hearings and research and compile a report for delivery to the general assembly before December 31, 2022. Such report shall include information on the following:

(1) The economic benefits and drawbacks of solar energy systems to local communities and the state;

(2) The fair, uniform, and standardized assessment and taxation of solar energy systems and their connected equipment owned by a retail or wholesale provider of electricity at the county level in all counties;

(3) Compliance with existing federal and state programs and regulations; and

(4) Potential legislation that will provide a uniform assessment and taxation methodology for solar energy systems and their connected equipment owned by a retail or wholesale provider of electricity that will be used in every county of Missouri.

3. The task force shall meet within thirty days after its creation and shall organize by selecting a chair and vice chair, one of whom shall be a member of the senate and the other a member of the house of representatives. Thereafter, the task force may meet as often as necessary in order to accomplish the

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tasks assigned to it. Meetings may be held by telephone or video conference at the discretion of the chair. The chair shall designate a person to keep the records of the task force. A majority of the task force shall constitute a quorum, and a majority vote of such quorum shall be required for any action.

4. The staff of house research and senate research shall provide necessary clerical, research, fiscal, and legal services to the task force as the task force may request.

5. The members of the task force shall serve without compensation, but any actual and necessary expenses incurred by the task force, its members, and any staff assigned to the task force shall be reimbursed.

6. This section shall expire on December 31, 2022.

393.1275. REGULATORY ASSET OR LIABILITY ACCOUNTS — CORPORATIONS TO DEFER PORTION OF LOCAL PROPERTY TAXES TO ACCOUNT, HOW CALCULATED — RATE BASE ADJUSTMENT, WHEN. — 1. The provisions of section 386.020 defining words, phrases, and terms shall apply to and determine the meaning of all such words, phrases, or terms as used in this section.

2. Electrical corporations, gas corporations, sewer corporations, and water corporations shall defer to a regulatory asset or liability account any difference in state or local property tax expenses actually incurred, and those on which the revenue requirement used to set rates in the corporation's most recently completed general rate proceeding was based. The regulatory asset or liability account balances shall be included in the revenue requirement used to set rates through an amortization over a reasonable period of time in such corporation's subsequent general rate proceedings. The commission shall also adjust the rate base used to establish the revenue requirement of such corporation to reflect the unamortized regulatory asset or liability account balances in such general rate proceedings. Such expenditures deferred under the provisions of this section are subject to commission prudence review in the next general rate proceeding after deferral.

393.1400. DEFERRAL OF DEPRECIATION TO REGULATORY ASSET — RETURN FOR QUALIFYING ELECTRIC PLANT RECORDED TO PLANT-IN-SERVICE ON UTILITY'S BOOKS — DEFINITIONS — REGULATORY ASSET BALANCES — REQUIREMENTS — GRID MODERNIZATION PROJECTS — EXPIRATION DATE. — 1. For purposes of this section, the following terms shall mean:

- (1) "Commission", the public service commission;
- (2) "Electrical corporation", the same as defined in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110;
- (3) "Qualifying electric plant", all rate-base additions, except rate-base additions for new coal-fired generating units, new nuclear generating units, new natural gas units, or rate-base additions that increase revenues by allowing service to new customer premises;
- (4) "Rate-base cutoff date", the date rate-base additions are accounted for in a general rate proceeding. In the absence of a commission order that specifies the rate-base cutoff date, such date as reflected in any jointly proposed procedural schedule submitted by the parties in the applicable general rate proceeding, or as otherwise agreed to by such parties, shall be used;
- (5) "Weighted average cost of capital", the return on rate base used to determine the revenue requirement in the electrical corporation's most recently completed general rate proceeding; provided, that in the absence of a commission determination of the return on rate base within the three-year period prior to August 28, [2018] 2022, the weighted average cost of capital shall be determined using the electrical corporation's actual capital structure as of December 31, [2017] 2021, excluding short-term debt, the electrical corporation's actual cost of long-term debt and preferred stock as of December 31, [2017] 2021, and a cost of common equity of nine and one-half percent.

2. (1) Notwithstanding any other provision of this chapter to the contrary, electrical corporations shall defer to a regulatory asset eighty-five percent of all depreciation expense and return associated

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with all qualifying electric plant recorded to plant-in-service on the utility's books commencing on or after August 28, 2018, if the electrical corporation has made the election provided for by subsection 5 of this section by that date, or on the date such election is made if the election is made after August 28, 2018. In each general rate proceeding concluded after August 28, 2018, the balance of the regulatory asset as of the rate-base cutoff date shall, subject only to the cap provided for in section 393.1655 or section 393.1656, as applicable, be included in the electrical corporation's rate base without any offset, reduction, or adjustment based upon consideration of any other factor, other than as provided for in subdivision (2) of this subsection, with the regulatory asset balance arising from deferrals associated with qualifying electric plant placed in service after the rate-base cutoff date to be included in rate base in the next general rate proceeding. The expiration of this section shall not affect the continued inclusion in rate base and amortization of regulatory asset balances that arose under this section prior to such expiration.

(2) The regulatory asset balances arising under this section shall be adjusted to reflect any prudence disallowances ordered by the commission. The provisions of this section shall not be construed to affect existing law respecting the burdens of production and persuasion in general rate proceedings for rate-base additions.

(3) Parts of regulatory asset balances created under this section that are not yet being recovered through rates shall include carrying costs at the electrical corporation's weighted average cost of capital, plus applicable federal, state, and local income or excise taxes. Regulatory asset balances arising under this section and included in rate base shall be recovered in rates through a twenty-year amortization beginning on the date new rates reflecting such amortization take effect.

3. (1) Depreciation expense deferred under this section shall account for all qualifying electric plant placed into service less retirements of plant replaced by such qualifying electric plant.

(2) Return deferred under this section shall be determined using the weighted average cost of capital applied to the change in plant-related rate base caused by the qualifying electric plant, plus applicable federal, state, and local income or excise taxes. In determining the return deferred, the electrical corporation shall account for changes in all plant-related accumulated deferred income taxes and changes in accumulated depreciation, excluding retirements.

4. Beginning February 28, 2019, and by each February twenty-eighth thereafter while the electrical corporation is allowed to make the deferrals provided for by subsection 2 of this section, electrical corporations that defer depreciation expense and return authorized under this section shall submit to the commission a five-year capital investment plan setting forth the general categories of capital expenditures the electrical corporation will pursue in furtherance of replacing, modernizing, and securing its infrastructure. The plan shall also include a specific capital investment plan for the first year of the five-year plan consistent with the level of specificity used for annual capital budgeting purposes. For each project in the specific capital investment plan on which construction commences on or after January first of the year in which the plan is submitted, and where the cost of the project is estimated to exceed twenty million dollars, the electrical corporation shall identify all costs and benefits that can be quantitatively evaluated and shall further identify how those costs and benefits are quantified. For any cost or benefit with respect to such a project that the electrical corporation believes cannot be quantitatively evaluated, the electrical corporation shall state the reasons the cost or benefit cannot be quantitatively evaluated, and how the electrical corporation addresses such costs and benefits when reviewing and deciding to pursue such a project. No such project shall be based solely on costs and benefits that the electrical corporation believes cannot be quantitatively evaluated. Any quantification for such a project that does not produce quantified benefits exceeding the costs shall be accompanied by additional justification in support of the project. For each of the first five years that an electrical corporation is allowed to make the deferrals provided for by subsection 2 of this section, the purchase and installation of smart meters shall constitute no more than six percent of the electrical corporation's total capital expenditures during any given year under the corporation's specific capital investment plan.

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At least twenty-five percent of the cost of each year's capital investment plan shall be comprised of grid modernization projects, including but not limited to:

- (1) Increased use of digital information and controls technology to improve reliability, security, and efficiency of the electric grid;
- (2) Dynamic optimization of grid operations and resources, with full cybersecurity;
- (3) Deployment and integration of distributed resources and generation, including renewable resources;
- (4) Development and incorporation of demand response, demand-side resources, and energy-efficiency resources;
- (5) Deployment of smart technologies (real-time, automated, interactive technologies that optimize the physical operation of appliances and consumer devices) for metering, communications, concerning grid operations and status, and distribution automation;
- (6) Integration of smart appliances and devices;
- (7) Deployment and integration of advanced electricity storage and peak-shaving technologies, including plug-in electric and hybrid electric vehicles, and thermal storage air conditioning;
- (8) Provision of timely information and control options to consumer;
- (9) Development of standards for communication and interoperability of appliances and equipment connected to the electric grid, including the infrastructure serving the grid; and
- (10) Identification and lowering of unreasonable or unnecessary barriers to adoption of smart grid technologies, practices, and services.

Project specific information need not be included for the five-year period covered by the plan. Within thirty days of the filing of any capital investment plan or annual update to an existing plan, the electrical corporation shall host a public stakeholder meeting to answer questions and receive feedback about the plan. After feedback is received, the electrical corporation shall file a notice with the commission of any modifications to the capital investment plan it has accepted. Changes to the plan, its implementation, or the level of investments made shall not constitute evidence of imprudence of the investments made under such plan. The submission of a capital investment plan under this section shall not affect in any way the commission's authority with respect to the grant or denial of a certificate of convenience and necessity under section 393.170. By February twenty-eighth following each year in which the electrical corporation submits a capital investment plan, the electrical corporation shall submit a report to the commission detailing actual capital investments made the previous year, the quantitatively evaluated benefits and costs generated by each of those investments that exceeded twenty million dollars, and any efficiencies achieved as a result of those investments.

5. This section shall only apply to any electrical corporation that has filed a notice with the commission of the electrical corporation's election to make the deferrals for which this section provides. [No electrical corporation shall file a notice with the commission under this subsection if such corporation has made an application under subsection 3 of section 386.266, and such application has been approved.] An electrical corporation may provide notice to the commission one time under this subsection if such corporation has applied to the commission under subsection 2 of section 386.266, provided the corporation shall not concurrently utilize deferrals under this subsection and the electric rate adjustments set forth in subsection 3 of section 386.266. An electrical corporation's election shall allow it to make the deferrals provided for by subsection 2 [of this section until December 31, 2023 , unless the electrical corporation requests and the commission approves the continuation of such deferrals beyond that date and approves continuation of the discounts authorized by section 393.1640 beyond that date as hereinafter provided. An electrical corporation that wishes to continue to make the deferrals provided for by subsection 2 of this section from January 1, 2024 , through December 31, 2028 , shall obtain the commission's approval to do so, shall be subject to the compound annual growth rate limitations set forth under section 393.1655 , and shall also obtain the commission's approval to continue

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to provide the discounts authorized by section 393.1640 in a commission order issued on or before December 31, 2023. The commission shall have the authority to grant or deny such approval based upon the commission's evaluation of the costs and benefits of such continuation to electrical corporations and consumers, but shall not be authorized to condition such approval or otherwise modify the deferrals authorized by subsection 2 of this section, or the discounts authorized by section 393.1640. In deciding whether to extend the program for an additional five years, the commission shall develop an objective analytical framework to determine whether there is a continuing need. The commission shall make a finding about whether there is a continuing need after hearing. Failure to obtain such commission approval shall not affect deferrals made through December 31, 2023, or the regulatory and ratemaking treatment of the regulatory assets arising from such deferrals as provided for by this section] of this section until December 31, 2028. Notwithstanding the immediately preceding sentence, an electrical corporation may seek permission to continue to make the deferrals provided for by subsection 2 of this section for an additional five years beyond December 31, 2028, by filing an application with the commission seeking such permission by December 31, 2026, which application shall be ruled upon by the commission within one hundred eighty days after its filing. In deciding whether to grant such permission to continue the commission shall have the authority, consistent with its statutory authority outside this section, to consider such factors as in its judgment it deems necessary and may condition the permission on factors that are relevant to the deferrals authorized by subsection 2 of this section. The commission shall make the determination of whether to grant such permission to continue after a hearing. An electrical corporation making deferrals provided for by subsection 2 of this section on and after January 1, 2024, shall be subject to the revenue requirement impact cap set forth under section 393.1656. Failure to obtain such commission permission to continue shall not affect deferrals made through the date for which permission has been granted, or the regulatory and ratemaking treatment of the regulatory assets arising from such deferrals as provided for by this section.

6. The commission may take into account any change in business risk to the corporation resulting from implementation of the deferrals in setting the corporation's allowed return in any rate proceeding, in addition to any other changes in business risk experienced by the corporation.

7. This section shall expire on December 31, [2028] 2033, except that the amortization of the regulatory asset balances arising under this section shall continue to be reflected in the electrical corporation's rates and remaining regulatory asset balances shall be included in the electrical corporation's rate base consistent with the ratemaking treatment and amortization previously approved by the commission pursuant to this section.

393.1640. GROWTH PROJECT, DISCOUNT RATE, WHEN — REQUIREMENTS — EXPIRATION DATE. — 1. Subject to the limitations provided for in subsection 2 of this section, and upon proper application by an eligible customer prior to public announcement of a growth project, a new or existing account meeting the [following] criteria in this subsection shall [be considered] qualify for [qualification for] one of the [discount] discounts set forth in subdivision (1) or (2) of this subsection [if]:

(1) [The customer adds incremental load, net of any offsetting load reductions due to the termination of other accounts of the customer or an affiliate of the customer within twelve months prior to the commencement of service to the new load, with average monthly demand that is reasonably projected to be at least three hundred kilowatts with a load factor of at least fifty-five percent within two years after the date the application is submitted;

(2) The customer receives local, regional, or state economic development incentives in conjunction with the incremental load; and

(3) The customer meets the criteria set forth in the electrical corporation's economic development rider tariff sheet, as approved by the commission, that are not inconsistent with the provisions of this subsection.] When the new load is reasonably projected to be at least three hundred kilowatts but not more than ten megawatts and have a load factor of at least forty-five percent, the discount shall equal

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thirty-five percent and shall apply for five years, provided that if it is expected as of the date the discount is to commence that a thirty-five percent discount would produce revenues from the applicant's total bill that would not exceed the electrical corporation's variable cost to serve the applicant's account or accounts that are to receive the discount, the discount shall be determined so that the percentage discount, rounded to the nearest one percent, is expected, as of the date the discount percentage is determined, to provide revenues equal to one hundred twenty percent of the electrical corporation's variable cost to serve the applicant's account or accounts that are to receive the discount;

(2) When the new load is reasonably projected to be more than ten megawatts and have a load factor of at least fifty-five percent, the discount percentage, rounded to the nearest one percent, shall be determined such that the applicant's total bill is expected, as of the date the discount percentage is determined, to provide revenues equal to one hundred twenty percent of the electrical corporation's variable cost to serve the applicant's account or accounts that are to receive the discount. Such discount shall apply for ten years.

For the purposes of this section, the variable cost to serve new load for purposes of establishing a discount under this section shall be determined using (a) the energy and capacity market prices that underlie the net base energy costs reflected in the revenue requirement from the electrical corporation's most recent general rate proceeding; (b) any operations and maintenance expenses that vary with respect to the total number of customers or load served by the electrical corporation, excluding operations and maintenance expenses associated with generating electricity; and (c) any other incremental costs to serve the customer.

To obtain one of the discounts set forth in subdivision (1) or (2) of this subsection, the customer's load shall be incremental, net of any offsetting load reductions due to the termination of other accounts of the customer or an affiliate of the customer within twelve months prior to the commencement of service to the new load, the customer shall receive an economic development incentive from the local, regional, state, or federal government, or from an agency or program of any such government, in conjunction with the incremental load, and the customer shall meet the criteria set forth in the electrical corporation's economic development rider tariff sheet, as approved by the commission, that are not inconsistent with the provisions of this subsection.

Unless otherwise provided for by the electrical corporation's tariff, the applicable discount shall be a percentage applied to all base-rate components of the bill. [The percentage shall be fixed for each year of service under the discount for a period of up to five years. Subject to the remaining provisions of this subsection, the average of the annual discount percentages shall equal forty percent and shall not be less than thirty percent nor more than fifty percent in any year.] The discount shall be applied to such incremental load from the date when the meter has been permanently set until the date that such incremental load no longer meets the criteria required to qualify for the discount, as determined under the provisions of subsection 2 of this section. An eligible customer shall also receive a ten percent discount of all base-rate components of the bill applied to such incremental load for an additional one year [after] period beyond the [initial] period during which the applicable discount [period ends] under subdivision (1) or (2) of this subsection applies if the electrical corporation determines that the customer is taking service from an under-utilized circuit. [In no event shall a customer receive a discount under this subsection after December 31, 2028.] The electrical corporation may include in its tariff additional or alternative terms and conditions to a customer's utilization of the discount, subject to approval of such terms and conditions by the commission. The customer, on forms supplied by the electrical corporation, shall apply for the applicable discount provided for by this subsection at least ninety days prior to the date the customer requests that the incremental demand receive one of the discounts provided for by this subsection and shall enter into a written agreement with the electrical corporation reflecting the discount percentages and other pertinent details. If the incremental demand is not separately metered.

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the electrical corporation's determination of the incremental demand shall control. The electrical corporation shall verify the customer's incremental demand annually to determine continued qualification for the applicable discount. Notwithstanding the foregoing provisions of this subsection, the cents-per-kilowatt-hour realization resulting from application of any [such] discounted [rate] rates as calculated shall be higher than the electrical corporation's variable cost to serve such [accounts in aggregate] incremental demand and the applicable discounted rate also shall make a positive contribution to fixed costs associated with [such] service to such incremental demand. If in a subsequent general rate proceeding the commission determines that application of [such] a discounted rate is not adequate to cover the electrical corporation's variable cost to serve [such] the accounts in question and provide a positive contribution to fixed costs then the commission shall increase the rate for those accounts prospectively to the extent necessary to do so.

2. In each general rate proceeding concluded after August 28, [2018] 2022, the [reduced level of] difference in revenues [arising from] generated by applying the [application of] discounted rates provided for by [subsection 1 of] this section and the revenues that would have been generated without such discounts shall not be imputed into the electrical corporation's revenue requirement. Instead, such revenue requirement shall be set using the revenues generated by such discounted rates and the impact of the discounts provided for by this section shall be allocated to all the electrical corporation's customer classes, including the classes with customers that qualify for discounts under this section]. This increase shall be implemented] through the application of a uniform percentage adjustment to the revenue requirement responsibility of all customer classes. To qualify for the discounted rates provided for in this section, [if incremental load is separately metered,] customers shall meet the applicable criteria within twenty-four months [after the date the meter is permanently set] of initially receiving discounts based on metering data for calendar months thirteen through twenty-four and annually thereafter. If such data indicates that the customer did not meet [the criteria] both of the three hundred kilowatt and forty-five percent load factor requirements for any applicable twelve-month period, it shall thereafter no longer qualify for [the] a discounted rate. For customers receiving service under subdivision (2) of subsection 1 of this section, if after the fourth year, the demand has not exceeded ten thousand kilowatts during any twelve-month period, the customer's qualification shall revert to subdivision (1) of subsection 1 of this section. The provisions of this section do not supersede or limit the ability of an electrical corporation to continue to utilize economic development or retention tariffs previously approved by the commission that are in effect on August 28, [2018] 2022. If, however, a customer is receiving any economic development or retention-related discounts as of the date it would otherwise qualify for a discount provided for by this section, the customer shall agree to relinquish the prior discount concurrently with the date it begins to receive a discount under this section; otherwise, the customer shall not be eligible to receive any discount under this section. Customer demand existing at the time the customer begins to receive discounted rates under this section shall not constitute incremental demand. The discounted rates provided for by this section apply only to base-rate components, with the charges or credits arising from any rate adjustment mechanism authorized by law to be applied to customers qualifying for discounted rates under this section in the same manner as such rate adjustments would apply in the absence of this section.

3. For purposes of this section, "electrical corporation" shall mean the same as defined in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110.

4. [This section shall expire on December 31, 2028, provided, that unless the electrical corporation has timely obtained the order provided for by subsection 5 of section 393.1400, the electrical corporation's customers shall, after December 31, 2023, no longer receive the discounts provided under this section.] An electrical corporation's authority to offer the discounts provided for by this section shall terminate on the date that such electrical corporation's authority to make the deferrals required by subsection 2 of section 393.1400 expires.

393.1655. RATE MODIFICATIONS, LIMITATIONS ON — DEFINITIONS. — 1. This section applies to an electrical corporation that has elected to exercise any option under section 393.1400 and that has more than two hundred thousand Missouri retail customers in 2018, and shall continue to apply to such electrical corporation until December 31, 2023], if the commission has not issued an order approving continuation of the deferrals authorized by subsection 2 of section 393.1400, and continuation of the discounts authorized by section 393.1640 as authorized by subsection 5 of section 393.1400 with respect to the electrical corporation, or until December 31, 2028, if the commission has issued such an order with respect to the electrical corporation].

2. Notwithstanding any other provision of law and except as otherwise provided for by this section, an electrical corporation's base rates shall be held constant for a period starting on the date new base rates were established in the electrical corporation's last general rate proceeding concluded prior to the date the electrical corporation gave notice under subsection 5 of section 393.1400 and ending on the third anniversary of that date, unless a force majeure event as determined by the commission occurs. Whether a force majeure event has occurred shall be subject to commission review and approval in a general rate proceeding, and shall not preclude the commission from reviewing the prudence of any revenue reductions or costs incurred during any proceeding to set rates. This subsection shall not affect the electrical corporation's ability to adjust its nonbase rates during the three-year period provided for in this subsection as authorized by its commission-approved rate adjustment mechanisms arising under section 386.266, 393.1030, or 393.1075, or as authorized by any other rate adjustment mechanism authorized by law.

3. This subsection shall apply to electrical corporations that have a general rate proceeding pending before the commission as of the later of February 1, 2018, or August 28, 2018. If the difference between (a) the electrical corporation's average overall rate at any point in time while this section applies to the electrical corporation, and (b) the electrical corporation's average overall rate as of the date new base rates are set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave notice under section 393.1400, reflects a compound annual growth rate of more than three percent, the electrical corporation shall not recover any amount in excess of such three percent as a performance penalty.

4. This section shall apply to electrical corporations that do not have a general rate proceeding pending before the commission as of the later of February 1, 2018, or August 28, 2018. If the difference between (a) the electrical corporation's average overall rate at any point in time while this section applies to the electrical corporation, and (b) the average of (i) the electrical corporation's average overall rate as of the date new base rates are set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave notice under section 393.1400, and (ii) the electrical corporation's average overall rate set under section 393.137, reflects a compound annual growth rate of more than two and eighty-five hundredths percent, the electrical corporation shall not recover any amount in excess of such two and eighty-five hundredths percent as a performance penalty.

5. If a change in any rates charged under a rate adjustment mechanism approved by the commission under sections 386.266 and 393.1030 would cause an electrical corporation's average overall rate to exceed the compound annual growth rate limitation set forth in subsection 3 or 4 of this section, the electrical corporation shall reduce the rates charged under that rate adjustment mechanism in an amount sufficient to ensure that the compound annual growth rate limitation set forth in subsection 3 or 4 of this section is not exceeded due to the application of the rate charged under such mechanism and the performance penalties under such subsections are not triggered. Sums not recovered under any such mechanism because of any reduction in rates under such a mechanism pursuant to this subsection shall be deferred to and included in the regulatory asset arising under section 393.1400 or, if applicable, under the regulatory and ratemaking treatment ordered by the commission under section 393.1400, and recovered through an amortization in base rates in the same manner as deferrals under that section or order are recovered in base rates.

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6. If the difference between (a) the electrical corporation's class average overall rate at any point in time while this section applies to the electrical corporation, and (b) the electrical corporation's class average overall rate as of the date rates are set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave notice under subsection 5 of section 393.1400, reflects a compound annual growth rate of more than two percent for the large power service rate class, the class average overall rate shall increase by an amount so that the increase shall equal a compound annual growth rate of two percent over such period for such large power service rate class, with the reduced revenues arising from limiting the large power service class average overall rate increase to two percent to be allocated to all the electrical corporation's other customer classes through the application of a uniform percentage adjustment to the revenue requirement responsibility of all the other customer classes.

7. For purposes of this section, the following terms shall mean:

(1) "Average base rate", a rate calculated by dividing the total retail revenue requirement for all the electrical corporation's rate classes by the total sales volumes stated in kilowatt-hours for all such rate classes used to set rates in the applicable general rate proceeding, exclusive of gross receipts tax, sales tax, and other similar pass-through taxes;

(2) "Average overall rate", a rate equal to the sum of the average base rate and the average rider rate;

(3) "Average rider rate", a rate calculated by dividing the total of the sums to be recovered from all customer classes under the electrical corporation's rate adjustment mechanisms in place other than a rate adjustment mechanism under section 393.1075 by the total sales volumes stated in kilowatt-hours for all of the electrical corporation's rate classes used to set rates under such rate adjustment mechanisms, exclusive of gross receipts tax, sales tax, and other similar pass-through taxes;

(4) "Class average base rate", a rate calculated by dividing the retail revenue requirement from the applicable general rate proceeding that is allocated to the electrical corporation's large power service rate class in that general rate proceeding, by the total sales volumes stated in kilowatt-hours for that class used to set rates in that general rate proceeding, exclusive of gross receipts tax, sales tax, and other similar pass-through taxes;

(5) "Class average overall rate", a rate equal to the sum of the class average base rate and the class average rider rate;

(6) "Class average rider rate", a rate calculated by dividing the total of the sums allocated for recovery from the large power service rate class under the electrical corporation's rate adjustment mechanisms in place other than a rate adjustment mechanism under section 393.1075 by the total sales volumes stated in kilowatt-hours for that class used to set rates under such rate adjustment mechanisms, exclusive of gross receipts tax, sales tax, and other similar pass-through taxes;

(7) "Force majeure event", an event or circumstance that occurs as a result of a weather event, an act of God, war, terrorism, or other event which threatens the financial integrity of the electrical corporation that causes a reduction in revenues, an increase in the cost of providing electrical service, or some combination thereof, and the event has an associated fiscal impact on the electrical corporation's operations equal to three percent or greater of the total revenue requirement established in the electrical corporation's last general rate proceeding after taking into account the financial impact specified in section 393.137. Any force majeure event shall be subject to commission review and approval, and shall not preclude the commission from reviewing the prudence of any revenue reductions or costs incurred during any proceeding to set rates;

(8) "Large power service rate class", the rate class of each corporation that requires the highest minimum monthly billing demand of all of the electrical corporation's rate classes in order to qualify as a member of such rate class, and that applies to qualifying customers only if they utilize the electrical corporation's distribution system.

393.1656. ELECTRIC CORPORATION BASE RATES — REGULATORY ASSET BALANCE INCLUSION, IMPACT CAP, EFFECT ON — EXCESS AMOUNT NOT INCLUDED IN RATE BASE — DEFINITIONS. — 1. This section applies beginning January 1, 2024, to an electrical corporation that has elected to exercise any option under section 393.1400 and shall continue to apply to such electrical corporation until such electrical corporation's permission to make the deferrals authorized by subsection 2 of section 393.1400 expires.

2. That part of the electrical corporation's retail revenue requirement used to set the electrical corporation's base rates in each of the electrical corporation's general rate proceedings that are concluded on or after August 31, 2023, that consists of revenue requirement arising from inclusion in rate base of the section 393.1400 regulatory asset balance shall not exceed the revenue requirement impact cap. If inclusion in rate base of the full balance of the subject section 393.1400 regulatory asset would cause the electrical corporation to exceed the revenue requirement impact cap, that part of the balance necessary to prevent inclusion of the full balance from causing an exceedance of the revenue requirement impact cap shall not be included in rate base and the section 393.1400 regulatory asset balance shall be reduced accordingly as a penalty.

3. For purposes of this section, the following terms shall mean:

(1) "Commission", the public service commission;

(2) "Electrical corporation", the same as defined in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110;

(3) "Rate-base cutoff date", the date rate-base additions are accounted for in a general rate proceeding. In the absence of a commission order that specifies the rate-base cutoff date, such date as reflected in any jointly proposed procedural schedule submitted by the parties in the applicable general rate proceeding, or as otherwise agreed to by such parties, shall be used;

(4) "Revenue requirement impact cap", the product of (i) one-twelfth of two and one-half percent, multiplied by (ii) the number of months that have elapsed from the effective date of new base rates in the electrical corporation's most recently completed general rate proceeding to the effective date of new base rates in the general rate proceeding in which the cap is being applied, with that product to be multiplied by the retail revenue requirement used to set base rates in the electrical corporation's most recently completed general rate proceeding concluded prior to the general rate proceeding in which the cap is being applied;

(5) "Subject section 393.1400 regulatory asset", deferrals under section 393.1400 from the rate-base cutoff date in the electrical corporation's prior general rate proceeding to the rate-base cutoff date in the current general rate proceeding in which the cap reflected in subsection 2 of this section is being applied.

393.1715. RETIREMENT OF GENERATING FACILITIES, RATEMAKING PRINCIPLES AND TREATMENT AS APPLIED TO BASE RATES, RETIREMENT DATE, USEFUL LIFE, AND DEPRECIATION — PROCEDURE — MONITORING — RETIREMENT OF COAL-FIXED GENERATING ASSETS IN RATE BASE — RULEMAKING AUTHORITY. — 1. An electrical corporation may petition the commission for a determination of the ratemaking principles and treatment, as proposed by the electrical corporation, that will apply to the reflection in base rates of the electrical corporation's capital and noncapital costs associated with the proposed retirement of one or more of the electrical corporation's generating facilities. Without limiting the foregoing, such principles and treatment may also establish the retirement date and useful life parameters used to set depreciation rates for such facilities. Except as provided for in subsection 4 of this section, the ratemaking principles and treatment approved by the commission under this section for such facilities shall apply to the determination of the revenue requirement in each of the electrical corporation's post-determination general rate proceedings until such time as such facility is fully depreciated on the electrical corporation's books.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

2. If the commission fails to issue a determination within two hundred fifteen days that a petition for determination of ratemaking principles and treatment is filed, the ratemaking principles and treatment proposed by the petitioning electrical corporation shall be deemed to have been approved by the commission.

3. Subject to the provisions of subsection 4 of this section, ratemaking principles and treatment approved by the commission, or deemed to have been approved under subsection 2 of this section, shall be binding for ratemaking purposes.

4. (1) An electrical corporation with ratemaking principles and treatment approved by the commission, or deemed to have been approved under subsection 2 of this section, shall monitor the major factors and circumstances relating to the facility to which such principles and treatment apply. Such factors and circumstances include, but are not limited to:

- (a) Terrorist activity or an act of God;
- (b) A significant change in federal or state tax laws;
- (c) A significant change in federal utility laws or regulations or a significant change in generally accepted accounting principles;
- (d) An unexpected, extended outage or shutdown of a major generating unit, other than any major generating unit shut down due to an extended outage at the time of the approval of the ratemaking principles and treatment;
- (e) A significant change in the cost or reliability of power generation technologies;
- (f) A significant change in fuel prices and wholesale electric market conditions;
- (g) A significant change in the cost or effectiveness of emission control technologies;
- (h) A significant change in the price of emission allowances;
- (i) A significant change in the electrical corporation's load forecast;
- (j) A significant change in capital market conditions;
- (k) A significant change in the scope or effective dates of environmental regulations; or
- (l) A significant change in federal or state environmental laws.

(2) If the electrical corporation determines that one or more major factor or circumstance has changed in a manner that warrants a change in the approved ratemaking principles and treatment, then it shall file a notice in the docket in which the approved ratemaking principles and treatment were established within forty-five days of any such determination. In its notification, the electrical corporation shall:

- (a) Explain and specify the changes it contends are appropriate to the ratemaking principles and treatment and the reasons for the proposed changes;
- (b) Provide a description of the alternatives that it evaluated and the process that it went through in developing its proposed changes; and
- (c) Provide detailed workpapers that support the evaluation and the process whereby proposed changes were developed.

(3) If a party has concerns regarding the proposed changes, that party shall file a notice of its concerns within thirty days of the electrical corporation's filing. If the parties agree on a resolution of the concerns, the agreement shall be submitted to the commission for approval. If the parties do not reach agreement on changes to the ratemaking principles and treatment within ninety days of the date the electrical corporation filed its notice, whether the previously approved ratemaking and treatment will be changed shall be determined by the commission. If a party to the docket in which the approved ratemaking principles and treatment were approved believes that one or more major factor or circumstance has changed in a manner that warrants a change in the approved ratemaking principles and treatment and if the electrical corporation does not agree the principles and treatment should be changed, such party shall file a notice in the docket in which the approved ratemaking principles and treatment were established within forty-five days of any such determination. In its notification, such party shall:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(a) Explain and specify the changes it contends are appropriate to the ratemaking principles and treatment and the reasons for the proposed changes;

(b) Provide a description of the alternatives that it evaluated and the process that it went through in developing its proposed changes; and

(c) Provide detailed workpapers that support the evaluation and the process whereby proposed changes were developed.

(4) If a party, including the electrical corporation, has concerns regarding the proposed changes, that party shall file a notice of its concerns within thirty days of the other party's filing. If the parties do not reach agreement on changes to the ratemaking principles and treatment within ninety days of the date the notice was filed, whether the previously approved ratemaking and treatment will be changed shall be determined by the commission.

5. A determination of ratemaking principles and treatment under this section does not preclude an electrical corporation from also petitioning the commission under either or both of sections 393.1700 and 393.1705, provided that any costs to which such ratemaking principles and treatment would have applied in the electrical corporation's general rate proceedings which become funded by securitized utility tariff bond proceeds from a securitized utility tariff bond issued under section 393.1700 shall not thereafter be reflected in the electrical corporation's base rates.

6. If determined by the commission to be just, reasonable, and necessary for the provision of safe and adequate service, the electrical corporation [may] shall be permitted to retain coal-fired generating assets in rate base and recover prudently incurred costs associated with operating the coal-fired assets [that remain in service to provide greater certainty that generating capacity will be available to provide essential service to customers, including during extreme weather events, and the commission shall not disallow any portion of such cost recovery on the basis that such coal-fired generating assets operate], including at a low capacity factor, or that are offline and providing capacity only], during normal operating conditions] in order to remain in service to customers for reliability during events such as extreme weather.

7. The commission may promulgate rules necessary to implement the provisions of sections 393.1700 to 393.1715. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

442.404. POLITICAL SIGNS, HOMEOWNERS' ASSOCIATIONS NOT TO PROHIBIT — REASONABLE RESTRICTIONS AND REMOVAL PERMITTED, WHEN. — 1. As used in this section, the following terms shall mean:

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached;

(3) "Solar panel or solar collector", a device used to collect and convert solar energy into electricity or thermal energy, including but not limited to photovoltaic cells or panels, or solar thermal systems.

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

[3.] (2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

[4.] (3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the installation of solar panels or solar collectors on the rooftop of any property or structure.

(2) A homeowners' association may adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the placement of solar panels or solar collectors to the extent that those rules do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device.

(3) The provisions of this subsection shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

610.021. CLOSED MEETINGS AND CLOSED RECORDS AUTHORIZED WHEN, EXCEPTIONS. —

Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided,

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however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

- (4) The state militia or national guard or any part thereof;
- (5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
- (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;
- (7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;
- (8) Welfare cases of identifiable individuals;
- (9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- (18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
- (19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning

or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business; **[and]**

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; and

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account.

SECTION B. EFFECTIVE DATE. — The repeal and reenactment of section 442.404 of section A of this act shall be effective on January 1, 2023.

Approved June 29, 2022

SS#3 SCS SB 758

Enacts provisions relating to procedures for certain public projects for facilities.

AN ACT to repeal sections 8.250, 8.260, 8.420, 34.055, 34.057, 34.058, 34.100, 34.203, 34.206, 34.209, 34.212, 34.217, and 34.218, RSMo, and to enact in lieu thereof fifteen new sections relating to procedures for certain public projects for facilities.

SECTION

- A Enacting clause.
- 8.250 Contracts for projects by state or certain subdivisions, bidding required, when — prohibition against dividing project into component parts.
- 8.260 Appropriations of \$100,000 or more for buildings, how paid out.
- 8.420 Revenue bonds, form, effect, interest rates — approval by committee on legislative research — limitation on issuance of bonds for certain purposes (Callaway County).
- 8.690 Manager-at-risk and design-build delivery methods utilized, when.
- 8.960 Prompt payments required — progress payments — retainage — late payment charges — withholding of payments.
- 8.962 Public works contract defined — certain contract clauses against public policy, exceptions.
- 8.964 Citation of law.
- 8.966 Purpose statement.
- 8.968 Requirements for certain contracts for construction, repair, remodeling, or demolition of facilities.
- 8.970 Grants, tax abatements or tax credits, and cooperative agreements for construction projects prohibited, when.
- 8.972 Nonseverability clause.
- 8.974 Violation, remedies — investigation of complaints.
- 34.055 State to pay late charges for supplies and services, when, rate — vendor to apply, exception — energy assistance program for persons of low income, recipients exempt from interest charges.
- 34.057 Public works contracts — prompt payment by public owner to contractor, engineer, architect, or surveyor — prompt payment by contractor to subcontractor — progress payments — retainage — late payment charges — withholding of payments.
- 34.058 Public works contract, defined — certain contract clauses against public policy — exceptions.
- 34.100 Direct purchases and emergency purchases, when authorized, procedure.
- 34.203 Citation of law.
- 34.206 Purpose statement.
- 34.209 Requirements for certain contracts for construction, repair, remodeling, or demolition of facilities.
- 34.212 Grants, tax abatements or tax credits, and cooperative agreements for construction projects prohibited, when.
- 34.217 Nonseverability clause.
- 34.218 Violations, remedies — investigation of complaints.
- 67.5065 Political subdivision definition.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 8.250, 8.260, 8.420, 34.055, 34.057, 34.058, 34.100, 34.203, 34.206, 34.209, 34.212, 34.217, and 34.218, RSMo, are repealed and fifteen new

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sections enacted in lieu thereof, to be known as sections 8.250, 8.260, 8.420, 8.690, 8.960, 8.962, 8.964, 8.966, 8.968, 8.970, 8.972, 8.974, 34.055, 34.100, and 67.5065, to read as follows:

8.250. CONTRACTS FOR PROJECTS BY STATE OR CERTAIN SUBDIVISIONS, BIDDING REQUIRED, WHEN — PROHIBITION AGAINST DIVIDING PROJECT INTO COMPONENT PARTS. —

1. "Project" for the purposes of this chapter means the labor or material necessary for the construction, renovation, or repair of improvements to real property so that the work, when complete, shall be ready for service for its intended purpose and shall require no other work to be a completed system or component.

2. All contracts for projects, the cost of which exceeds twenty-five thousand dollars, entered into by any city containing five hundred thousand inhabitants or more shall be let to the lowest, responsive, responsible bidder or bidders after [notice and] publication of an advertisement for [five days in a daily newspaper in the county where the work is located, or at least twice over] a period of ten days or more in a newspaper in the county where the work is located, [and] in two daily newspapers in the state which do not have less than fifty thousand daily circulation, and [by such other means as are determined to be most likely to reach potential bidders] on the website of the city or through an electronic procurement system.

3. All contracts for projects, the cost of which exceeds one hundred thousand dollars, entered into by an officer or agency of this state shall be let to the lowest, responsive, responsible bidder or bidders based on preestablished criteria after [notice and] publication of an advertisement for [five days in a daily newspaper in the county where the work is located, or at least twice over] a period of ten days or more in a newspaper in the county where the work is located [and], in one daily newspaper in the state which does not have less than fifty thousand daily circulation, and [by such other means as determined to be most likely to reach potential bidders] on the website of the officer or agency or through an electronic procurement system. For all contracts for projects between twenty-five thousand dollars and one hundred thousand dollars, a minimum of three contractors shall be solicited with the award being made to the lowest responsive, responsible bidder based on preestablished criteria.

4. The number of such public bids shall not be restricted or curtailed, but shall be open to all persons complying with the terms upon which the bids are requested or solicited unless debarred for cause. No contract shall be awarded when the amount appropriated for same is not sufficient to complete the work ready for service.

5. Dividing a project into component labor or material allocations for the purpose of avoiding bidding or advertising provisions required by this section is specifically prohibited.

8.260. APPROPRIATIONS OF \$100,000 OR MORE FOR BUILDINGS, HOW PAID OUT. — All appropriations made by the general assembly amounting to one hundred thousand dollars or more for the construction, renovation, or repair of facilities shall be expended in the following manner:

(1) The agency requesting payment shall provide the commissioner of administration with satisfactory evidence that a bona fide contract, procured in accordance with all applicable procedures, exists for the work for which payment is requested;

(2) All requests for payment shall be approved by the architect or engineer registered to practice in the state of Missouri who designed the project or who has been assigned to oversee it;

(3) In order to guarantee completion of the contract, the agency or officer shall retain a portion of the contract value in accordance with the provisions of section [34.057] 8.960;

(4) A contractor may be paid for materials delivered to the site or to a storage facility approved by the director of the division of facilities management, design and construction as having adequate safeguards against loss, theft or conversion.

In no case shall the amount contracted for exceed the amount appropriated by the general assembly for the purpose.

8.420. REVENUE BONDS, FORM, EFFECT, INTEREST RATES — APPROVAL BY COMMITTEE ON LEGISLATIVE RESEARCH — LIMITATION ON ISSUANCE OF BONDS FOR CERTAIN PURPOSES (CALLAWAY COUNTY). — 1. Bonds issued under and pursuant to the provisions of sections 8.370 to 8.450 shall be of such denomination or denominations, shall bear such rate or rates of interest not to exceed fifteen percent per annum, and shall mature at such time or times within forty years from the date thereof, as the board determines. The bonds may be either serial bonds or term bonds.

2. Serial bonds may be issued with or without the reservation of the right to call them for payment and redemption in advance of their maturity, upon the giving of such notice, and with or without a covenant requiring the payment of a premium in the event of such payment and redemption prior to maturity, as the board determines.

3. Term bonds shall contain a reservation of the right to call them for payment and redemption prior to maturity at such time or times and upon the giving of such notice, and upon the payment of such premium, if any, as the board determines.

4. The bonds, when issued, shall be sold at public sale for the best price obtainable after giving such reasonable notice of such sale as may be determined by the board, but in no event shall such bonds be sold for less than ninety-eight percent of the par value thereof, and accrued interest. Any such bonds may be sold to the United States of America or to any agency or instrumentality thereof, at a price not less than par and accrued interest, without public sale and without the giving of notice as herein provided.

5. The bonds, when issued and sold, shall be negotiable instruments within the meaning of the law merchant and the negotiable instruments law, and the interest thereon shall be exempt from income taxes under the laws of the state of Missouri.

6. The board shall not issue revenue bonds pursuant to the provisions of sections 8.370 to 8.450 for one or more projects, as defined in section 8.370, in excess of a total par value of one billion one hundred seventy-five million dollars.

7. Any bonds which may be issued pursuant to the provisions of sections 8.370 to 8.450 shall be issued only for projects which have been approved by a majority of the house members and a majority of the senate members of the committee on legislative research of the general assembly, and the approval by the committee on legislative research required by the provisions of section 8.380 shall be given only in accordance with this provision. For the purposes of approval of a project, the total amount of bonds issued for purposes of energy retrofitting in state-owned facilities shall be treated as a single project.

[8. Any bonds which may be issued due to the increase of the cap amount in subsection 6 of this section occurring on August 28, 2014, shall not be issued for construction of new buildings and shall only be used for repair or renovation of existing buildings and facilities, except that bonds may be issued for the construction of a new mental health facility in any county of the first classification with more than forty thousand but fewer than fifty thousand inhabitants and with a home rule city with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants as the county seat.]

8.690. MANAGER-AT-RISK AND DESIGN-BUILD DELIVERY METHODS UTILIZED, WHEN. —

1. The office of administration shall have the authority to utilize:

(1) The construction manager-at-risk delivery method, as provided for in section 67.5050; and

(2) The design-build delivery method, as provided for in section 67.5060, only as follows:

(a) For noncivil works projects, as that term is used in section 67.5060, in excess of seven million dollars; and

(b) No more than five noncivil works projects, as that term is used in section 67.5060, may be contracted for in any fiscal year that are less than seven million dollars.

2. The office of administration shall not be subject to subsection 15 of section 67.5050 and subsection 22 of section 67.5060 in executing contracts pursuant to this section.

3. The office of administration shall not be subject to subsection 4 of section 67.5060. The office of administration shall publish its advertisement for proposals in the publications; and on the website of the officer or agency or through an electronic procurement system as set forth in subsection 3 of section 8.250. The selection and award shall follow sections 67.5050 and 67.5060, as applicable.

[34.057.] 8.960. PROMPT PAYMENTS REQUIRED — PROGRESS PAYMENTS — RETAINAGE — LATE PAYMENT CHARGES — WITHHOLDING OF PAYMENTS. — 1. Unless contrary to any federal funding requirements or unless funds from a state grant are not timely received by the contracting public municipality but notwithstanding any other law to the contrary, all public works contracts made and awarded by the appropriate officer, board or agency of the state or of a political subdivision of the state or of any district therein, including any municipality, county and any board referred to as the public owner, for construction, reconstruction or alteration of any public works project, shall provide for prompt payment by the public owner to the contractor, and any professional engineer, architect, landscape architect, or land surveyor, as well as prompt payment by the contractor to the subcontractor and material supplier in accordance with the following:

(1) A public owner shall make progress payments to the contractor and any professional engineer, architect, landscape architect, or land surveyor on at least a monthly basis as the work progresses, or, on a lump sum basis according to the terms of the lump sum contract. Except in the case of lump sum contracts, payments shall be based upon estimates prepared at least monthly of work performed and material delivered, as determined by the project architect or engineer. Retainage withheld on any construction contract or subcontract for public works projects shall not exceed five percent of the value of the contract or subcontract. If the contractor is not required to obtain a bond under section 107.170 because the cost of the public works contract is not estimated to exceed fifty thousand dollars, the public owner may withhold retainage on the public works project in an amount not to exceed ten percent of the value of the contract or subcontract. The public owner shall pay the contractor the amount due, less a retainage, within thirty days following the latter of the following:

(a) The date of delivery of materials or construction services purchased;

(b) The date, as designated by the public owner, upon which the invoice is duly delivered to the person or place designated by the public owner; or

(c) In those instances in which the contractor approves the public owner's estimate, the date upon which such notice of approval is duly delivered to the person or place designated by the public owner;

(2) Payments shall be considered received within the context of this section when they are duly posted with the United States Postal Service or other agreed upon delivery service or when they are hand-delivered to an authorized person or place as agreed to by the contracting parties;

(3) If, in the discretion of the owner and the project architect or engineer and the contractor, it is determined that a subcontractor's performance has been completed and the subcontractor can be released prior to substantial completion of the public works contract without risk to the public owner, the contractor shall request such adjustment in retainage, if any, from the public owner as necessary to enable the contractor to pay the subcontractor in full. The public owner may reduce or eliminate retainage on any contract payment if, in the public owner's opinion, the work is proceeding satisfactorily. If retainage is released and there are any remaining minor items to be completed, an amount equal to one hundred fifty percent of the value of each item as determined by the public owner's duly authorized representatives shall be withheld until such item or items are completed;

(4) The public owner shall pay at least ninety-eight percent of the retainage, less any offsets or deductions authorized in the contract or otherwise authorized by law, to the contractor. The contractor

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Matter underscored is proposed language.

shall pay the subcontractor or supplier after substantial completion of the contract work and acceptance by the public owner's authorized contract representative, or as may otherwise be provided by the contract specifications for state highway, road or bridge projects administered by the state highways and transportation commission. Such payment shall be made within thirty days after acceptance, and the invoice and all other appropriate documentation and certifications in complete and acceptable form are provided, as may be required by the contract documents. If the public owner or the owner's representative determines the work is not substantially completed and accepted, then the owner or the owner's representative shall provide a written explanation of why the work is not considered substantially completed and accepted within fourteen calendar days to the contractor, who shall then provide such notice to the subcontractor or suppliers responsible for such work. If such written explanation is not given by the public body, the public body shall pay at least ninety-eight percent of the retainage within thirty calendar days. If at that time there are any remaining minor items to be completed, an amount equal to one hundred fifty percent of the value of each item as determined by the public owner's representative shall be withheld until such items are completed;

(5) All estimates or invoices for supplies and services purchased, approved and processed, or final payments, shall be paid promptly and shall be subject to late payment charges provided in this section. Except as provided in subsection 4 of this section, if the contractor has not been paid within thirty days as set forth in subdivision (1) of subsection 1 of this section, the contracting agency shall pay the contractor, in addition to the payment due him, interest at the rate of one and one-half percent per month calculated from the expiration of the thirty-day period until fully paid;

(6) When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier his application less any retention not to exceed five percent. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials he is rejecting or because he has otherwise determined such areas are not suitable for payment then those specific subcontractors or suppliers involved shall not be paid for that portion of the work rejected or deemed not suitable for payment; provided the public owner or the owner's representative gives a written explanation to the contractor, subcontractor, or supplier involved as to why the work or supplies were rejected or deemed not suitable for payment, and all other subcontractors and suppliers shall be paid in full;

(7) If the contractor, without reasonable cause, fails to make any payment to his subcontractors and material suppliers within fifteen days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of one and one-half percent per month, calculated from the expiration of the fifteen-day period until fully paid. This subdivision shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain;

(8) The public owner shall make final payment of all moneys owed to the contractor, including any retainage withheld under subdivision (4) of this subsection, less any offsets or deductions authorized in the contract or otherwise authorized by law, within thirty days of the due date. Final payment shall be considered due upon the earliest of the following events:

(a) Completion of the project and filing with the owner of all required documentation and certifications, in complete and acceptable form, in accordance with the terms and conditions of the contract;

(b) The project is certified by the architect or engineer authorized to make such certification on behalf of the owner as having been completed, including the filing of all documentation and certifications required by the contract, in complete and acceptable form; or

(c) The project is certified by the contracting authority as having been completed, including the filing of all documentation and certifications required by the contract, in complete and acceptable form.

2. Nothing in this section shall prevent the contractor or subcontractor, at the time of application or certification to the public owner or contractor, from withholding such applications or certifications to the owner or contractor for payment to the subcontractor or material supplier. Amounts intended to be withheld shall not be included in such applications or certifications to the public owner or contractor. Reasons for withholding such applications or certifications shall include, but not be limited to, the following: unsatisfactory job progress; defective construction work or material not remedied; disputed work; failure to comply with other material provisions of the contract; third-party claims filed or reasonable evidence that a claim will be filed; failure of the subcontractor to make timely payments for labor, equipment and materials; damage to a contractor or another subcontractor or material supplier; reasonable evidence that the contract cannot be completed for the unpaid balance of the subcontract sum or a reasonable amount for retention, not to exceed the initial percentage retained by the owner.

3. Should the contractor determine, after application or certification has been made and after payment has been received from the public owner, or after payment has been received by a contractor based upon the public owner's estimate of materials in place and work performed as provided by contract, that all or a portion of the moneys needs to be withheld from a specific subcontractor or material supplier for any of the reasons enumerated in this section, and such moneys are withheld from such subcontractor or material supplier, then such undistributed amounts shall be specifically identified in writing and deducted from the next application or certification made to the public owner or from the next estimate by the public owner of payment due the contractor, until a resolution of the matter has been achieved. Disputes shall be resolved in accordance with the terms of the contract documents. Upon such resolution the amounts withheld by the contractor from the subcontractor or material supplier shall be included in the next application or certification made to the public owner or the next estimate by the public owner and shall be paid promptly in accordance with the provisions of this section. This subsection shall also apply to applications or certifications made by subcontractors or material suppliers to the contractor and throughout the various tiers of the contracting chain.

4. The contracts which provide for payments to the contractor based upon the public owner's estimate of materials in place and work performed rather than applications or certifications submitted by the contractor, the public owner shall pay the contractor within thirty days following the date upon which the estimate is required by contract to be completed by the public owner, the amount due less a retainage not to exceed five percent. All such estimates by the public owner shall be paid promptly and shall be subject to late payment charges as provided in this subsection. After the thirtieth day following the date upon which the estimate is required by contract to be completed by the public owner, the contracting agency shall pay the contractor, in addition to the payment due him, interest at a rate of one and one-half percent per month calculated from the expiration of the thirty-day period until fully paid.

5. The public owner shall pay or cause to be paid to any professional engineer, architect, landscape architect, or land surveyor the amount due within thirty days following the receipt of an invoice prepared and submitted in accordance with the contract terms. In addition to the payment due, the contracting agency shall pay interest at the rate of one and one-half percent per month calculated from the expiration of the thirty-day period until fully paid.

6. Nothing in this section shall prevent the owner from withholding payment or final payment from the contractor, or a subcontractor or material supplier. Reasons for withholding payment or final payment shall include, but not be limited to, the following: liquidated damages; unsatisfactory job progress; defective construction work or material not remedied; disputed work; failure to comply with any material provision of the contract; third party claims filed or reasonable evidence that a claim will

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be filed; failure to make timely payments for labor, equipment or materials; damage to a contractor, subcontractor or material supplier; reasonable evidence that a subcontractor or material supplier cannot be fully compensated under its contract with the contractor for the unpaid balance of the contract sum; or citation by the enforcing authority for acts of the contractor or subcontractor which do not comply with any material provision of the contract and which result in a violation of any federal, state or local law, regulation or ordinance applicable to that project causing additional costs or damages to the owner.

7. Nothing in this section shall be construed to require direct payment by a public owner to a subcontractor or supplier, except in the case of the default, as determined by a court, of the contractor on the contract with the public owner where no performance or payment bond is required or where the surety fails to execute its duties, as determined by a court.

8. Notwithstanding any other provisions in this section to the contrary, no late payment interest shall be due and owing for payments which are withheld in good faith for reasonable cause pursuant to subsections 2, 5, and 6 of this section. If it is determined by a court of competent jurisdiction that a payment which was withheld pursuant to subsections 2, 5, and 6 of this section was not withheld in good faith for reasonable cause, the court may impose interest at the rate of one and one-half percent per month calculated from the date of the invoice and may, in its discretion, award reasonable attorney fees to the prevailing party. In any civil action or part of a civil action brought pursuant to this section, if a court determines after a hearing for such purpose that the cause was initiated, or a defense was asserted, or a motion was filed, or any proceeding therein was done frivolously and in bad faith, the court shall require the party who initiated such cause, asserted such defense, filed such motion, or caused such proceeding to be had to pay the other party named in such action the amount of the costs attributable thereto and reasonable expenses incurred by such party, including reasonable attorney fees.

[34.058.] 8.962. PUBLIC WORKS CONTRACT DEFINED — CERTAIN CONTRACT CLAUSES AGAINST PUBLIC POLICY, EXCEPTIONS. — 1. As used in this section, the term "public works contract" means a contract of the state, county, city and other political subdivisions of the state, except the Missouri transportation department, for the construction, alteration, repair, or maintenance of any building, structure, highway, bridge, viaduct, pipeline, public works, or any other works dealing with construction, which shall include, but need not be limited to, moving, demolition, or excavation performed in conjunction with such work.

2. Any clause in a public works contract that purports to waive, release, or extinguish the rights of a contractor to recover costs or damages, or obtain an equitable adjustment, for delays in performing such contract, if such delay is caused in whole, or in part, by acts or omissions within the control of the contracting public entity or persons acting on behalf thereof, is against public policy and is void and unenforceable.

3. Subsection 2 of this section is not intended to render void any contract provision of a public works contract that:

- (1) Precludes a contractor from recovering that portion of delay costs caused by the acts or omissions of the contractor or its agents;
- (2) Requires notice of any delay by the party responsible for such delay;
- (3) Provides for reasonable liquidated damages; or
- (4) Provides for arbitration or any other procedure designed to settle contract disputes.

[34.203.] 8.964. CITATION OF LAW. — The provisions of sections **[34.203 to 34.216]** 8.964 to 8.974 shall be known and may be cited as the "Fairness in Public Construction Act".

[34.206.] 8.966. PURPOSE STATEMENT. — The purpose of sections **[34.203 to 34.216]** 8.964 to 8.974 is to fulfill the state's proprietary objectives in maintaining and promoting the economical, nondiscriminatory, and efficient expenditures of public funds in connection with publicly funded or

assisted construction projects. Nothing in sections [34.203 to 34.216] 8.964 to 8.974 shall prohibit employers or other parties covered by the National Labor Relations Act from entering into agreements or engaging in any other activity arguably protected by law, nor shall any aspect of sections [34.203 to 34.216] 8.964 to 8.974 be interpreted in such a way as to interfere with the labor relations of parties covered by the National Labor Relations Act.

[34.209.] 8.968. REQUIREMENTS FOR CERTAIN CONTRACTS FOR CONSTRUCTION, REPAIR, REMODELING, OR DEMOLITION OF FACILITIES. — 1. The state, any agency of the state, any political subdivision of the state, or any instrumentality thereof, when engaged in procuring or letting contracts for construction, repair, remodeling, or demolition of a facility shall ensure that bid specification, project agreements, and other controlling documents entered into, required, or subject to approval by the state, agency, political subdivision, or instrumentality do not:

(1) Require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations on the same or related projects; or

(2) Discriminate against, encourage, or give preferential treatment to bidders, offerors, contractors, or subcontractors for:

(a) Entering or refusing to enter agreements with one or more labor organizations on the same or related construction projects; or

(b) Remaining or refusing to remain signatory with one or more labor organizations on the same or related construction projects.

2. Nothing in this section shall be construed to prohibit the state, any agency of the state, any political subdivision of the state, or any instrumentality thereof from requiring bidders, offerors, contractors, or subcontractors, as a condition of receiving work or submitting a bid, to test its workers and employees for the presence of illegal drugs.

[34.212.] 8.970. GRANTS, TAX ABATEMENTS OR TAX CREDITS, AND COOPERATIVE AGREEMENTS FOR CONSTRUCTION PROJECTS PROHIBITED, WHEN. — 1. The state, any agency of the state, any political subdivision of the state, or any instrumentality thereof shall not issue or award grants, tax abatements, or tax credits or enter into cooperative agreements for construction projects or for the improvement, maintenance, or renovation of real property or fixtures, a condition of which requires that bid specifications, project agreements, or other controlling documents pertaining to the grant, tax abatement, tax credit, or cooperative agreement contain any of the elements specified in section [34.209] 8.968.

2. The state, any agency of the state, any political subdivision, or any instrumentality thereof shall exercise such authority as may be required to preclude a grant, tax abatement, or tax credit recipient or party to a cooperative agreement from imposing any of the elements specified in section [34.209] 8.968 in connection with any grant or cooperative agreement awarded or entered into. Nothing in sections [34.203 to 34.217] 8.964 to 8.974 shall prohibit contractors or subcontractors from voluntarily entering into agreements described in section [34.209] 8.968.

[34.217.] 8.972. NONSEVERABILITY CLAUSE. — Notwithstanding the provisions of section 1.140, the provisions of sections 290.095 and 290.250 and sections [34.203 to 34.216] 8.964 to 8.974 shall not be severable. In the event a court of competent jurisdiction rules that any part of this act is unenforceable, the entire act shall be rendered null and void.

[34.218.] 8.974. VIOLATION, REMEDIES — INVESTIGATION OF COMPLAINTS. — 1. Any entity which violates the provisions of sections [34.203 to 34.217] 8.964 to 8.974 shall be liable to the person affected for such equitable relief as may be appropriate, including reasonable attorney's fees.

2. Any entity which violates the provisions of sections [34.203 to 34.217] 8.964 to 8.974 shall not be eligible for any state funding or tax credits issued by the state for two years.

3. The prosecuting attorney or circuit attorney with jurisdiction over the location where a violation of sections [34.203 to 34.217] 8.964 to 8.974 occurs, or the attorney general of this state, shall investigate complaints of violation of such sections, and use all means at their command to ensure the effective enforcement of this section.

34.055. STATE TO PAY LATE CHARGES FOR SUPPLIES AND SERVICES, WHEN, RATE — VENDOR TO APPLY, EXCEPTION — ENERGY ASSISTANCE PROGRAM FOR PERSONS OF LOW INCOME, RECIPIENTS EXEMPT FROM INTEREST CHARGES. — 1. Except as otherwise provided in section [34.057] 8.960, all invoices for supplies and services purchased by the state, duly approved and processed, shall be subject to interest charges or late payment charges as provided in this section.

2. After the forty-fifth day following the later of the date of delivery of the supplies and services or the date upon which the invoice is duly approved and processed, interest retroactive to the thirtieth day shall be paid on any unpaid balance, except balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills, upon application of the vendor thereof. The rate of such interest shall be three percentage points above the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.

3. The state shall be liable for late payment charges on any delinquent bill for services purchased by the state from a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. The rate of such late payment charges shall be as established for each such corporation by order of the public service commission, but bills rendered to the state shall not be considered delinquent until thirty days after rendition of the bill by the corporation.

4. Any such interest charges or late payment charges shall be paid from appropriations which were made for the fiscal year in which the supplies or services were delivered to the respective departments purchasing such supplies or services. The commissioner of administration shall be responsible for the timely implementation of this section and all officers, departments, institutions and agencies of state government shall fully cooperate with the commissioner of administration in the implementation of this section. No late payment penalty shall be assessed against, nor payable by, the state unless pursuant to the provisions of this section.

5. Notwithstanding any other provision of this section, recipients of funds from the low-income energy assistance program shall be exempt from interest charges imposed by such section for the duration of the recipient's participation in the program.

34.100. DIRECT PURCHASES AND EMERGENCY PURCHASES, WHEN AUTHORIZED, PROCEDURE. — The commissioner of administration may, when in the commissioner's best judgment it is in the best interests of the state, delegate the commissioner's procurement authority pursuant to this chapter to an individual department; provided, however, that each instance of single feasible source purchasing authority in excess of [five] ten thousand dollars under section 34.044 must be specifically delegated by the commissioner. The delegation may allow departments to negotiate in accordance with section 34.042 the purchase of services for patients, residents or clients with funds appropriated for this purpose. In accepting this delegated authority the department acknowledges its ability to, and agrees to, fulfill all of the requirements of this chapter in making purchases and entering into contracts and keeping records. No claim for payment based upon any purchase under this section shall be certified by the commissioner unless accompanied by such documentation of compliance with the provisions of

this chapter as the commissioner may require. Any department that fails to fulfill all such requirements may have its delegated authority rescinded by the commissioner of administration.

67.5065. POLITICAL SUBDIVISION DEFINITION. — For purposes of section 67.5050 and section 67.5060, the term "political subdivision" includes any public institution of higher education.

Approved June 30, 2022

CCS HCS SS SCS SB 775, 751, & 640

Enacts provisions relating to judicial proceedings, with penalty provisions.

AN ACT to repeal sections 211.031, 217.703, 455.073, 455.075, 455.085, 478.600, 491.015, 556.046, 559.036, 559.115, 566.010, 566.086, 566.149, 566.150, 566.155, 567.020, 573.010, 589.404, 595.201, 595.226, and 632.305, RSMo, and to enact in lieu thereof thirty new sections relating to judicial proceedings, with penalty provisions.

SECTION

- A Enacting clause.
- 1.016 Secondary sources do not constitute law or public policy, when.
- 210.1500 Suspected victims of sex trafficking, law enforcement duties — division duties — procedure.
- 210.1505 Statewide council on sex trafficking and sexual exploitation of children created — members, duties, report — expiration date.
- 211.031 Juvenile court to have exclusive jurisdiction, when — exceptions — home schooling, attendance violations, how treated.
- 217.703 Earned compliance credits awarded, when.
- 455.073 Supreme court to develop and adopt uniform forms for petitions and orders of protection, content — forms to be provided to each circuit clerk.
- 455.075 Attorney's fees, cost.
- 455.085 Arrest for violation of order — penalties — good faith immunity for law enforcement officials.
- 478.600 Circuit No. 11, number of judges, divisions — when judges elected — treatment court commissioner to become associate circuit judge position.
- 491.015 Prosecuting witness in certain cases not to be interrogated as to prior sexual conduct.
- 546.262 Domestic assault, victim and victim's family not to be compelled to testify or disclose certain information.
- 546.263 Domestic assault, victim may testify by video conference — local court rules.
- 556.046 Conviction of included offenses — jury instructions.
- 559.036 Duration of probation — revocation.
- 559.115 Appeals, probation not to be granted, when — probation granted after delivery to department of corrections, time limitation, assessment — one hundred twenty day program — notification to state, when, hearing — no probation in certain cases.
- 566.010 Chapter 566 and chapter 568 definitions.
- 566.086 Sexual contact with a student.
- 566.149 Certain offenders not to be present within five hundred feet of school property, exception — permission required for parents or guardians who are offenders, procedure — penalty.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 566.150 Certain offenders not to be present or loiter within five hundred feet of a public park, swimming pool, athletic complex, museum, or nature center — violation, penalty — exception for nature or education center, when.
- 566.155 Certain offenders not to serve as athletic coaches, managers, or trainers — violation, penalty.
- 567.020 Prostitution — penalty — affirmative defense.
- 573.010 Definitions.
- 573.024 Enabling sexual exploitation of a minor, offense of — penalty.
- 573.206 Patronizing a sexual performance of a child, offense of — penalty.
- 573.550 Providing explicit sexual material to a student, offense of — penalty — definitions.
- 589.404 Definitions.
- 595.201 Sexual assault survivors' bill of rights — definitions.
- 595.226 Identifiable information in court records to be redacted, when — access to information permitted, when — disclosure of identifying information regarding defendant, when.
- 595.320 Domestic assault offenders, costs of batterer intervention program, how paid.
- 632.305 Detention for evaluation and treatment, who may request — procedure — duration — disposition after application.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 211.031, 217.703, 455.073, 455.075, 455.085, 478.600, 491.015, 556.046, 559.036, 559.115, 566.010, 566.086, 566.149, 566.150, 566.155, 567.020, 573.010, 589.404, 595.201, 595.226, and 632.305, RSMo, are repealed and thirty new sections enacted in lieu thereof, to be known as sections 1.016, 210.1500, 210.1505, 211.031, 217.703, 455.073, 455.075, 455.085, 478.600, 491.015, 546.262, 546.263, 556.046, 559.036, 559.115, 566.010, 566.086, 566.149, 566.150, 566.155, 567.020, 573.010, 573.024, 573.206, 573.550, 589.404, 595.201, 595.226, 595.320, and 632.305, to read as follows:

1.016. SECONDARY SOURCES DO NOT CONSTITUTE LAW OR PUBLIC POLICY, WHEN. — A secondary source, including a legal treatise, scholarly publication, textbook, or other explanatory text, does not constitute the law or public policy of this state to the extent its adoption would create, eliminate, expand, or restrict a cause of action, right, or remedy, or to the extent it is inconsistent with, or in conflict with, or otherwise not addressed by, Missouri statutory law or Missouri appellate case law precedent.

210.1500. SUSPECTED VICTIMS OF SEX TRAFFICKING, LAW ENFORCEMENT DUTIES — DIVISION DUTIES — PROCEDURE. — 1. When a child is located by a police officer or law enforcement official and there is reasonable cause to suspect the child may be a victim of sex trafficking or severe forms of trafficking as those terms are defined under 22 U.S.C. Section 7102, the police officer or law enforcement official shall immediately cause a report to be made to the children's division in accordance with section 210.115. Upon receipt of a report by the children's division and if the children's division determines that the report merits an investigation, the reporting official and the children's division shall ensure the immediate safety of the child and shall coinvestigate the complaint to its conclusion.

2. If the police officer or law enforcement official has reasonable cause to believe that the child is in imminent danger of suffering serious physical harm or a threat to life as a result of abuse or neglect due to sex trafficking or sexual exploitation and such officer or official has reasonable cause to believe the harm or threat to life may occur before a juvenile court is able to issue a temporary protective custody order or before a juvenile officer is able to take the child into protective custody, the police officer or law enforcement official may take or retain temporary protective custody of the child without the

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consent of the child's parent or parents, guardian, or any other person legally responsible for the child's care, as provided under section 210.125.

3. If the child is already under the jurisdiction of the court under paragraph (a) of subdivision (1) of subsection 1 of section 211.031 and in the legal custody of the children's division, the police officer or law enforcement official, along with the children's division, shall secure placement for the child in the least restrictive setting in order to ensure the safety of the child from further sex trafficking or severe forms of trafficking.

4. The children's division and the reporting officer or official shall ensure a referral is made to the child advocacy center for a forensic interview and an evaluation, as necessary to ensure the medical safety of the child, by a SAFE CARE provider as defined under section 334.950. The child shall be assessed utilizing a validated screening tool specific to sex trafficking to ensure the appropriate resources are secured for the treatment of the child.

5. For purposes of this section, multidisciplinary teams shall be used when conducting an investigation. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement upon the request by the department of social services, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private, to secure appropriate services to meet the needs of the child.

210.1505. STATEWIDE COUNCIL ON SEX TRAFFICKING AND SEXUAL EXPLOITATION OF CHILDREN CREATED — MEMBERS, DUTIES, REPORT — EXPIRATION DATE. — 1. There is hereby created the "Statewide Council on Sex Trafficking and Sexual Exploitation of Children" to consist of the following members:

(1) The following four members of the general assembly:

(a) Two members of the senate, with one member to be appointed by the president pro tempore of the senate and one member to be appointed by the minority floor leader of the senate; and

(b) Two members of the house of representatives, with one member to be appointed by the speaker of the house of representatives and one member to be appointed by the minority floor leader of the house of representatives;

(2) The director of the children's division or his or her designee;

(3) The director of the department of public safety or his or her designee;

(4) The director of the department of mental health or his or her designee;

(5) The director of the office of prosecution services or his or her designee;

(6) The superintendent of the Missouri state highway patrol or his or her designee;

(7) The executive director of the statewide network of child advocacy organizations specializing in the prevention of child abuse or neglect or his or her designee;

(8) The executive director of the statewide coalition against domestic and sexual violence or his or her designee;

(9) The executive director of the Missouri Juvenile Justice Association or his or her designee;

(10) The director of the attorney general's human trafficking task force or his or her designee;

(11) Two representatives from agencies providing services to victims of child sex trafficking and sexual exploitation who reflect the geographic diversity of the state and who shall be appointed by the director of the department of social services; and

(12) A member of the judiciary, who shall be appointed by the supreme court.

2. A majority of the members of the council shall constitute a quorum. The council shall hold its first meeting within thirty days after the council's creation and organize by selecting a chair and a vice chair. The council shall meet at the call of the chair.

3. The council shall:

(1) Collect and analyze data relating to sex trafficking and sexual exploitation of children, including the number of reports made to the children's division under section 210.115, any information obtained

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from phone calls to the national sex trafficking hotline, the number of reports made to law enforcement, arrests, prosecution rates, and any other data important for any recommendations of the council. State departments and council members shall provide relevant data as requested by the council to fulfill the council's duties; and

(2) Collect feedback from stakeholders, practitioners, and leadership throughout the state in order to develop best practices and procedures regarding the response to sex trafficking and sexual exploitation of children, including identification and assessment of victims; response and treatment coordination and collaboration across systems; trauma-informed, culturally competent victim-centered services; training for professionals in all systems; and investigating and prosecuting perpetrators.

4. The department of social services shall provide administrative support to the council.

5. On or before December 31, 2023, the council shall submit a report of the council's activities to the governor and general assembly and the joint committee on child abuse and neglect under section 21.771. The report shall include recommendations for priority needs and actions, including statutory or regulatory changes relating to the response to sex trafficking and sexual exploitation of children and services for child victims.

6. The council shall expire on December 31, 2023.

211.031. JUVENILE COURT TO HAVE EXCLUSIVE JURISDICTION, WHEN — EXCEPTIONS — HOME SCHOOLING, ATTENDANCE VIOLATIONS, HOW TREATED. — 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in [sections 487.010 to 487.190] chapter 487 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child is otherwise without proper care, custody or support;

(c) The child was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130; or

(d) The child is in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school;

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control;

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification;

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of eighteen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child to the guardianship of the department of social services as provided by law; **[and]**

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than eighteen years of age; **and**

(7) Involving a child who has been a victim of sex trafficking or sexual exploitation.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person eighteen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child to the court located in the county of the child's residence, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child to the court located in the county of the child's residence for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri supreme court rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child taken into custody in a county other than the county of the child's residence, the juvenile court of the county of the child's residence shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

217.703. EARNED COMPLIANCE CREDITS AWARDED, WHEN. — 1. The division of probation and parole shall award earned compliance credits to any offender who is:

(1) Not subject to lifetime supervision under sections 217.735 and 559.106 or otherwise found to be ineligible to earn credits by a court pursuant to subsection 2 of this section;

(2) On probation, parole, or conditional release for an offense listed in chapter 579, or an offense previously listed in chapter 195, or for a class D or E felony, excluding sections 565.225, 565.252, 566.031, 566.061, 566.083, 566.093, 568.020, 568.060, offenses defined as sexual assault under section 589.015, deviate sexual assault, assault in the second degree under subdivision (2) of subsection 1 of section 565.052, endangering the welfare of a child in the first degree under subdivision (2) of subsection 1 of section 568.045, and any offense of aggravated stalking or assault in the second degree under subdivision (2) of subsection 1 of section 565.060 as such offenses existed prior to January 1, 2017;

(3) Supervised by the division of probation and parole; and

(4) In compliance with the conditions of supervision imposed by the sentencing court or board.

2. If an offender was placed on probation, parole, or conditional release for an offense of:

(1) Involuntary manslaughter in the second degree;

(2) Assault in the second degree except under subdivision (2) of subsection 1 of section 565.052 or section 565.060 as it existed prior to January 1, 2017;

(3) Domestic assault in the second degree;

(4) Assault in the third degree when the victim is a special victim or assault of a law enforcement officer in the second degree as it existed prior to January 1, 2017;

(5) Statutory rape in the second degree;

(6) Statutory sodomy in the second degree;

(7) Endangering the welfare of a child in the first degree under subdivision (1) of subsection 1 of section 568.045; or

(8) Any case in which the defendant is found guilty of a felony offense under chapter 571;

the sentencing court may, upon its own motion or a motion of the prosecuting or circuit attorney, make a finding that the offender is ineligible to earn compliance credits because the nature and circumstances of the offense or the history and character of the offender indicate that a longer term of probation, parole, or conditional release is necessary for the protection of the public or the guidance of the offender. The motion may be made any time prior to the first month in which the person may earn compliance credits under this section or at a hearing under subsection 5 of this section. The offender's ability to earn credits shall be suspended until the court or board makes its finding. If the court or board finds that the offender is eligible for earned compliance credits, the credits shall begin to accrue on the first day of the next calendar month following the issuance of the decision.

3. Earned compliance credits shall reduce the term of probation, parole, or conditional release by thirty days for each full calendar month of compliance with the terms of supervision. Credits shall begin to accrue for eligible offenders after the first full calendar month of supervision or on October 1, 2012, if the offender began a term of probation, parole, or conditional release before September 1, 2012.

4. For the purposes of this section, the term "compliance" shall mean the absence of an initial violation report or notice of citation submitted by a probation or parole officer during a calendar month, or a motion to revoke or motion to suspend filed by a prosecuting or circuit attorney, against the offender.

5. Credits shall not accrue during any calendar month in which a violation report, which may include a report of absconder status, has been submitted, the offender is in custody, or a motion to revoke or motion to suspend has been filed, and shall be suspended pending the outcome of a hearing, if a

hearing is held. If no hearing is held, or if a hearing is held and the offender is continued under supervision, or the court or board finds that the violation did not occur, then the offender shall be deemed to be in compliance and shall begin earning credits on the first day of the next calendar month following the month in which the report was submitted or the motion was filed. If a hearing is held, all earned credits shall be rescinded if:

(1) The court or board revokes the probation or parole or the court places the offender in a department program under subsection 4 of section 559.036 ~~or under section 217.785~~; or

(2) The offender is found by the court or board to be ineligible to earn compliance credits because the nature and circumstances of the violation indicate that a longer term of probation, parole, or conditional release is necessary for the protection of the public or the guidance of the offender.

Earned credits, if not rescinded, shall continue to be suspended for a period of time during which the court or board has suspended the term of probation, parole, or release, and shall begin to accrue on the first day of the next calendar month following the lifting of the suspension.

6. Offenders who are deemed by the division to be absconders shall not earn credits. For purposes of this subsection, "absconder" shall mean an offender under supervision whose whereabouts are unknown and who has left such offender's place of residency without the permission of the offender's supervising officer and without notifying of their whereabouts for the purpose of avoiding supervision. An offender shall no longer be deemed an absconder when such offender is available for active supervision.

7. Notwithstanding subsection 2 of section 217.730 to the contrary, once the combination of time served in custody, if applicable, time served on probation, parole, or conditional release, and earned compliance credits satisfy the total term of probation, parole, or conditional release, the board or sentencing court shall order final discharge of the offender, so long as the offender has completed restitution and at least two years of his or her probation, parole, or conditional release, which shall include any time served in custody under section 217.718 and sections 559.036 and 559.115.

8. The award or rescission of any credits earned under this section shall not be subject to appeal or any motion for postconviction relief.

9. At least twice a year, the division shall calculate the number of months the offender has remaining on his or her term of probation, parole, or conditional release, taking into consideration any earned compliance credits, and notify the offender of the length of the remaining term.

10. No less than sixty days before the date of final discharge, the division shall notify the sentencing court, the board, and, for probation cases, the circuit or prosecuting attorney of the impending discharge. If the sentencing court, the board, or the circuit or prosecuting attorney upon receiving such notice does not take any action under subsection 5 of this section, the offender shall be discharged under subsection 7 of this section.

11. Any offender who was sentenced prior to January 1, 2017, to an offense that was eligible for earned compliance credits under subsection 1 or 2 of this section at the time of sentencing shall continue to remain eligible for earned compliance credits so long as the offender meets all the other requirements provided under this section.

12. The application of earned compliance credits shall be suspended upon entry into a treatment court, as described in sections 478.001 to 478.009, and shall remain suspended until the offender is discharged from such treatment court. Upon successful completion of treatment court, all earned compliance credits accumulated during the suspension period shall be retroactively applied, so long as the other terms and conditions of probation have been successfully completed.

455.073. SUPREME COURT TO DEVELOP AND ADOPT UNIFORM FORMS FOR PETITIONS AND ORDERS OF PROTECTION, CONTENT — FORMS TO BE PROVIDED TO EACH CIRCUIT CLERK. —

1. By July 1, 1996, the supreme court of the state of Missouri shall:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- (1) Develop and adopt uniform forms for petitions and orders of protection; and
- (2) Provide the forms to each circuit clerk.
2. The following statements shall be printed in bold faced type or in capital letters on the order of protection:
 - (1) "Violation of this order may be punished by confinement in jail for as long as five years and by a fine of as much as five thousand dollars"; and
 - (2) "If so ordered by the court, the respondent is forbidden to enter or stay at the petitioner's residence".
3. The form prescribed by the supreme court for the notice of hearing required by subsection 2 of section 455.040 shall list all potential relief that can be granted by the court in any proceeding pursuant to sections 455.010 to 455.085 as described in section 455.050, and shall advise the respondent that such relief may be granted if the court finds for the petitioner, or if the respondent defaults to the petition.
4. If a full order of protection is granted, all temporary orders shall continue in the full order of protection and shall remain in full force and effect unless otherwise ordered by the court.
5. All orders of protection shall be issued on the form adopted pursuant to subsection 1 of this section.

455.075. ATTORNEY'S FEES, COST. — The court may order a party to pay a reasonable amount to the other party for attorney's fees incurred prior to the commencement of the proceeding [or, throughout the proceeding, and after entry of judgment. The court shall consider all relevant factors, including the financial resources of both parties, and may order that the amount be paid directly to the attorney, who may enforce the order in his name.

455.085. ARREST FOR VIOLATION OF ORDER — PENALTIES — GOOD FAITH IMMUNITY FOR LAW ENFORCEMENT OFFICIALS. — 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to domestic violence, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest, the officer is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party the officer believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims from continuing domestic violence;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;
- (3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of domestic violence shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether the officer should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to domestic violence, stalking, sexual assault, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class E felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to domestic violence, stalking, sexual assault, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class E felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if:

(1) The law enforcement officer responding to a call of a reported incident of domestic violence, stalking, sexual assault, or violation of an order of protection presented a copy of the order of protection to the respondent; or

(2) Notice is given by actual communication to the respondent in a manner reasonably likely to advise the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

478.600. CIRCUIT NO. 11, NUMBER OF JUDGES, DIVISIONS — WHEN JUDGES ELECTED — TREATMENT COURT COMMISSIONER TO BECOME ASSOCIATE CIRCUIT JUDGE POSITION. — 1. There shall be four circuit judges in the eleventh judicial circuit. These judges shall sit in divisions numbered one, two, three and four. Beginning on January 1, 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in divisions numbered one, two, three, four, five, and seven. The division five associate circuit judge position and the division seven associate circuit judge position shall become circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984. The circuit judge in division three shall be elected in 1992. The circuit judges in divisions five and seven shall be elected for a six-year term in 2006.

3. Beginning January 1, 2007, the family court commissioner positions in the eleventh judicial circuit appointed under section 487.020 shall become associate circuit judge positions in all respects and shall be designated as divisions nine and ten respectively. These positions may retain the duties and responsibilities with regard to the family court. The associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year terms.

4. Beginning on January 1, 2007, the treatment court commissioner position in the eleventh judicial circuit appointed under section 478.003 shall become an associate circuit judge position in all respects [and shall be designated as division eleven. This position retains the duties and responsibilities with regard to the treatment court]. Such associate circuit judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.

5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional circuit judgeships per county under section 478.320. Beginning in fiscal year 2019, there shall be one additional associate circuit judge position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2020. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional circuit judgeships per county under section 478.320.

491.015. PROSECUTING WITNESS IN CERTAIN CASES NOT TO BE INTERROGATED AS TO PRIOR SEXUAL CONDUCT. — 1. In prosecutions under chapter 566 or prosecutions related to sexual conduct under chapter 568, opinion and reputation evidence of [the complaining] a victim's or witness' prior sexual conduct, acts, or practices is inadmissible at any trial, hearing, or court proceeding and not a subject for inquiry during a deposition or discovery; evidence of specific instances of [the complaining] a victim's or witness' prior sexual conduct, acts, or practices or the absence of such instances or conduct is inadmissible at any trial, hearing, or any other court proceeding, and not a subject for inquiry during a deposition or discovery, except where such specific instances are:

(1) Evidence of the sexual conduct of [the complaining] a victim or witness with the defendant to prove consent where consent is a defense to the alleged crime and the evidence is reasonably contemporaneous with the date of the alleged crime; or

(2) Evidence of specific instances of sexual activity showing alternative source or origin of semen, pregnancy or disease;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law. Matter underscored is proposed language.

- (3) Evidence of immediate surrounding circumstances of the alleged crime; or
 - (4) Evidence relating to the previous chastity of the complaining witness in cases, where, by statute, previously chaste character is required to be proved by the prosecution.
2. Evidence of the sexual conduct, acts, or practices of [the complaining] a victim or witness offered under this section is admissible to the extent that the court finds the evidence relevant to a material fact or issue.
3. If the defendant proposes to offer evidence of the sexual conduct, acts, or practices of [the complaining] a victim or witness under this section, he or she shall file with the court a written motion accompanied by an offer of proof or make an offer of proof on the record outside the hearing of the jury. The court shall hold an in camera hearing to determine the sufficiency of the offer of proof and may at that hearing hear evidence if the court deems it necessary to determine the sufficiency of the offer of proof. If the court finds any of the evidence offered admissible under this section the court shall make an order stating the scope of the evidence which may be introduced. Objections to any decision of the court under this section may be made by either the prosecution or the defendant in the manner provided by law. The in camera hearing shall be recorded and the court shall set forth its reasons for its ruling. The record of the in camera hearing shall be sealed for delivery to the parties and to the appellate court in the event of an appeal or other post trial proceeding.

546.262. DOMESTIC ASSAULT, VICTIM AND VICTIM'S FAMILY NOT TO BE COMPELLED TO TESTIFY OR DISCLOSE CERTAIN INFORMATION. — A court shall not compel a victim or member of the victim's family testifying in a criminal proceeding for a violation of sections 565.072 to 565.076 to disclose a residential address or place of employment on the record in open court unless the court finds that disclosure of the address or place of employment is necessary.

546.263. DOMESTIC ASSAULT, VICTIM MAY TESTIFY BY VIDEO CONFERENCE — LOCAL COURT RULES. — 1. A person may testify by video conference at a civil trial involving an offense under sections 565.072 to 565.076 if the person testifying is the victim of the offense. The circuit and associate circuit court judges for each circuit shall develop local rules and instructions for appearances by video conference permitted under this subsection, which shall be posted on the circuit court's internet website.

2. The circuit and associate circuit court judges for each circuit shall provide, and post on the circuit court's internet website, a telephone number for the public to call for assistance regarding appearances by video conference.

556.046. CONVICTION OF INCLUDED OFFENSES — JURY INSTRUCTIONS. — 1. A person may be convicted of an offense included in an offense charged in the indictment or information. An offense is so included when:

- (1) It is established by proof of the same or less than all the facts required to establish the commission of the offense charged; or
- (2) It is specifically denominated by statute as a lesser degree of the offense charged; or
- (3) It consists of an attempt to commit the offense charged or to commit an offense otherwise included therein.

2. The court shall not be obligated to charge the jury with respect to an included offense unless there is a rational basis for a verdict acquitting the person of the offense charged and convicting him or her of the included offense. An offense is charged for purposes of this section if:

- (1) It is in an indictment or information; or
- (2) It is an offense submitted to the jury because there is a rational basis for a verdict acquitting the person of the offense charged and convicting the person of the included offense.

3. The court shall be obligated to instruct the jury with respect to a particular included offense only if the instruction is requested and there is a rational basis in the evidence for acquitting the person of the immediately higher included offense and [there is a basis in the evidence for] convicting the person of that particular included offense.

559.036. DURATION OF PROBATION — REVOCATION. — 1. A term of probation commences on the day it is imposed. Multiple terms of Missouri probation, whether imposed at the same time or at different times, shall run concurrently. Terms of probation shall also run concurrently with any federal or other state jail, prison, probation or parole term for another offense to which the defendant is or becomes subject during the period[, unless otherwise specified by the Missouri court].

2. The court may terminate a period of probation and discharge the defendant at any time before completion of the specific term fixed under section 559.016 if warranted by the conduct of the defendant and the ends of justice. The court may extend the term of the probation, but no more than one extension of any probation may be ordered except that the court may extend the term of probation by one additional year by order of the court if the defendant admits he or she has violated the conditions of probation or is found by the court to have violated the conditions of his or her probation. Total time on any probation term, including any extension shall not exceed the maximum term established in section 559.016. Total time on any probation term shall not include time when the probation term is suspended under this section. Procedures for termination, discharge and extension may be established by rule of court.

3. If the defendant violates a condition of probation at any time prior to the expiration or termination of the probation term, the court may continue him or her on the existing conditions, with or without modifying or enlarging the conditions or extending the term.

4. (1) Unless the defendant consents to the revocation of probation, if a continuation, modification, enlargement or extension is not appropriate under this section, the court shall order placement of the offender in [one of the] a department of corrections' one hundred twenty-day [programs] program so long as:

(a) The underlying offense for the probation is a class D or E felony or an offense listed in chapter 579 or an offense previously listed in chapter 195; except that, the court may, upon its own motion or a motion of the prosecuting or circuit attorney, make a finding that an offender is not eligible if the underlying offense is involuntary manslaughter in the second degree, stalking in the first degree, assault in the second degree, sexual assault, rape in the second degree, domestic assault in the second degree, assault in the third degree when the victim is a special victim, statutory rape in the second degree, statutory sodomy in the second degree, deviate sexual assault, sodomy in the second degree, sexual misconduct involving a child, incest, endangering the welfare of a child in the first degree under subdivision (1) or (2) of subsection 1 of section 568.045, abuse of a child, invasion of privacy, any case in which the defendant is found guilty of a felony offense under chapter 571, or an offense of aggravated stalking or assault of a law enforcement officer in the second degree as such offenses existed prior to January 1, 2017;

(b) The probation violation is not the result of the defendant being an absconder or being found guilty of, pleading guilty to, or being arrested on suspicion of any felony, misdemeanor, or infraction. For purposes of this subsection, "absconder" shall mean an offender under supervision who has left such offender's place of residency without the permission of the offender's supervising officer for the purpose of avoiding supervision;

(c) The defendant has not violated any conditions of probation involving the possession or use of weapons, or a stay-away condition prohibiting the defendant from contacting a certain individual; and

(d) The defendant has not already been placed in one of the programs by the court for the same underlying offense or during the same probation term.

(2) Upon receiving the order, the department of corrections shall conduct an assessment of the offender and place such offender in either the [appropriate] one hundred twenty-day structured cognitive behavioral intervention program [under subsection 3 of section 559.115] or the one hundred twenty-day institutional treatment program. The placement of the offender in the structured cognitive behavioral intervention program or institutional treatment program shall be at the sole discretion of the department based on the assessment of the offender. The program shall begin upon receipt of the offender by the department. The time between the court's order and receipt of the offender by the department shall not apply toward the program.

(3) [Notwithstanding any of the provisions of subsection 3 of section 559.115 to the contrary,] Upon successful completion of a program under this subsection, as determined by the department, the division of probation and parole shall advise the sentencing court of the defendant's probationary release date thirty days prior to release. Once the defendant has successfully completed [the] a program under this subsection, the court shall release the defendant to continue to serve the term of probation, which shall not be modified, enlarged, or extended based on the same incident of violation.

(4) If the department determines the defendant has not successfully completed a one hundred twenty-day program under this section, the division of probation and parole shall advise the prosecuting attorney and the sentencing court of the defendant's unsuccessful program exit and the defendant shall be removed from the program. The defendant shall be released from the department within fifteen working days after the court is notified of the unsuccessful program exit, unless the court has issued a warrant in response to the unsuccessful program exit to facilitate the return of the defendant to the county of jurisdiction for further court proceedings. If a defendant is discharged as unsuccessful from a one hundred twenty-day program, the sentencing court may modify, enlarge, or revoke the defendant's probation based on the same incident of the violation.

(5) Time served in the program shall be credited as time served on any sentence imposed for the underlying offense.

5. If the defendant consents to the revocation of probation or if the defendant is not eligible under subsection 4 of this section for placement in a program and a continuation, modification, enlargement, or extension of the term under this section is not appropriate, the court may revoke probation and order that any sentence previously imposed be executed. If imposition of sentence was suspended, the court may revoke probation and impose any sentence available under section 557.011. The court may mitigate any sentence of imprisonment by reducing the prison or jail term by all or part of the time the defendant was on probation. The court may, upon revocation of probation, place an offender on a second term of probation. Such probation shall be for a term of probation as provided by section 559.016, notwithstanding any amount of time served by the offender on the first term of probation.

6. Probation shall not be revoked without giving the probationer notice and an opportunity to be heard on the issues of whether such probationer violated a condition of probation and, if a condition was violated, whether revocation is warranted under all the circumstances. Not less than five business days prior to the date set for a hearing on the violation, except for a good cause shown, the judge shall inform the probationer that he or she may have the right to request the appointment of counsel if the probationer is unable to retain counsel. If the probationer requests counsel, the judge shall determine whether counsel is necessary to protect the probationer's due process rights. If the judge determines that counsel is not necessary, the judge shall state the grounds for the decision in the record.

7. The prosecuting or circuit attorney may file a motion to revoke probation or at any time during the term of probation, the court may issue a notice to the probationer to appear to answer a charge of a violation, and the court may issue a warrant of arrest for the violation. Such notice shall be personally served upon the probationer. The warrant shall authorize the return of the probationer to the custody of the court or to any suitable detention facility designated by the court. Upon the filing of the prosecutor's or circuit attorney's motion or on the court's own motion, the court may immediately enter an order suspending the period of probation and may order a warrant for the defendant's arrest. The probation

shall remain suspended until the court rules on the prosecutor's or circuit attorney's motion, or until the court otherwise orders the probation reinstated. Notwithstanding any other provision of the law to the contrary, the probation term shall be tolled during the time period when the probation is suspended under this section. The court may grant the probationer credit on the probation term for any of the tolled period when reinstating the probation term.

8. The power of the court to revoke probation shall extend for the duration of the term of probation designated by the court and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration, provided that some affirmative manifestation of an intent to conduct a revocation hearing occurs prior to the expiration of the period and that every reasonable effort is made to notify the probationer and to conduct the hearing prior to the expiration of the period. If the delay of the hearing is attributable to the probationer's actions or the probationer otherwise consents or acquiesces to the delay, the court shall have been found to have made every reasonable effort to conduct the hearing within the probation term.

9. A defendant who was sentenced prior to January 1, 2017 to an offense that was eligible at the time of sentencing under paragraph (a) of subdivision (1) of subsection 4 of this section for the court ordered detention sanction shall continue to remain eligible for the sanction so long as the defendant meets all the other requirements provided under subsection 4 of this section.

559.115. APPEALS, PROBATION NOT TO BE GRANTED, WHEN — PROBATION GRANTED AFTER DELIVERY TO DEPARTMENT OF CORRECTIONS, TIME LIMITATION, ASSESSMENT — ONE HUNDRED TWENTY DAY PROGRAM — NOTIFICATION TO STATE, WHEN, HEARING — NO PROBATION IN CERTAIN CASES. — 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection 8 of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this subsection **[or order such placement under subsection 4 of section 559.036].** **[Upon the recommendation or order of the court,]** The department of corrections shall assess each offender to determine the appropriate one hundred twenty-day program in which to place the offender, which may include placement in the **[shock incarceration]** structured cognitive behavioral intervention program or institutional treatment program. The placement of an offender in the structured cognitive behavioral intervention program or institutional treatment program shall be at the sole discretion of the department based on the assessment of the offender and available bed space. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a program under this subsection, the division of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days from the date the offender was delivered to the department of corrections. If the

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department determines the offender has not successfully completed a one hundred twenty-day program under this subsection, the [offender shall be removed from the program and the court shall be advised of the removal] division of probation and parole shall advise the prosecuting attorney and the sentencing court of the defendant's unsuccessful program exit and the defendant shall be removed from the program. The department shall report on the offender's participation in the program and may provide recommendations for terms and conditions of an offender's probation. The court shall then have the power to grant probation or order the execution of the offender's sentence.

4. If the court is advised that an offender is not eligible for placement in a one hundred twenty-day program under subsection 3 of this section, the court shall consider other authorized dispositions. If the department of corrections one hundred twenty-day program under subsection 3 of this section is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C, class D, or class E nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 566.125, the court shall request the department of corrections to conduct a sexual offender assessment if the defendant has been found guilty of sexual abuse when classified as a class B felony. Upon completion of the assessment, the department shall provide to the court a report on the offender and may provide recommendations for terms and conditions of an offender's probation. The assessment shall not be considered a one hundred twenty-day program as provided under subsection 3 of this section. The process for granting probation to an offender who has completed the assessment shall be as provided under subsections 2 and 6 of this section.

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration under this section prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; forcible rape pursuant to section 566.030 as it existed prior to August 28, 2013; rape in the first degree under section 566.030; forcible sodomy pursuant to section 566.060 as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060; statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; or an offender who has been found to be a predatory sexual offender pursuant to section 566.125; any offense under section 557.045; or any offense in which there exists a statutory prohibition against either probation or parole.

566.010. CHAPTER 566 AND CHAPTER 568 DEFINITIONS. — As used in this chapter and chapter 568, the following terms mean:

- (1) "Aggravated sexual offense", any sexual offense, in the course of which, the actor:
 - (a) Inflicts serious physical injury on the victim;
 - (b) Displays a deadly weapon or dangerous instrument in a threatening manner;

(c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person;

(d) Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter or said sections;

(e) Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or

(f) Engages in the act that constitutes the offense with a person the actor knows to be, without regard to legitimacy, the actor's:

- a. Ancestor or descendant by blood or adoption;
- b. Stepchild while the marriage creating that relationship exists;
- c. Brother or sister of the whole or half blood; or
- d. Uncle, aunt, nephew, or niece of the whole blood;

(2) "Commercial sex act", any sex act on account of which anything of value is given to or received by any person;

(3) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

(4) "Forced labor", a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;

(6) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another person, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

(7) "Sexual intercourse", any penetration, however slight, of the female genitalia by the penis.

566.086. SEXUAL CONTACT WITH A STUDENT. — 1. A person commits the offense of sexual contact with a student if he or she has sexual contact with a student of the school and is:

- (1) A teacher, as that term is defined in subdivisions (4), (5), and (7) of section 168.104;
- (2) A student teacher; **[or]**
- (3) An employee of the school; **[or]**
- (4) A volunteer of the school or of an organization working with the school on a project or program who is not a student at the school; **[or]**
- (5) An elected or appointed official of the school district; **[or]**
- (6) A person employed by an entity that contracts with the school or school district to provide services; or
- (7) A coach, assistant coach, director, or other adult with a school-aged team, club, or ensemble, regardless of whether such team, club, or ensemble is connected to a school or scholastic association. For purposes of this subdivision, "school-aged team, club, or ensemble" means any group organized for

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individual or group competition for the performance of sports activities or any group organized for individual or group presentation for fine or performing arts, by any child under eighteen years of age.

2. For the purposes of this section, "school" shall mean any public or private school in this state serving kindergarten through grade twelve or any school bus used by the school district.

3. The offense of sexual contact with a student is a class E felony.

4. It is not a defense to prosecution for a violation of this section that the student consented to the sexual contact.

566.149. CERTAIN OFFENDERS NOT TO BE PRESENT WITHIN FIVE HUNDRED FEET OF SCHOOL PROPERTY, EXCEPTION — PERMISSION REQUIRED FOR PARENTS OR GUARDIANS WHO ARE OFFENDERS, PROCEDURE — PENALTY. — 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.037, possession of child pornography; section 573.025, promoting child pornography; or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not be present in or loiter within five hundred feet of any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity when persons under the age of eighteen are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building and has met the conditions set forth in subsection 2 of this section.

2. No parent, legal guardian, or custodian who has been found guilty of violating any of the offenses listed in subsection 1 of this section shall be present in any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity when persons under the age of eighteen are present in the building, on the grounds or in the conveyance unless the parent, legal guardian, or custodian has permission to be present from the superintendent or school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Permission may be granted by the superintendent, school board, or in the case of a private school from the principal for more than one event at a time, such as a series of events, however, the parent, legal guardian, or custodian must obtain permission for any other event he or she wishes to attend for which he or she has not yet had permission granted.

3. Regardless of the person's knowledge of his or her proximity to school property or a school-related activity, violation of the provisions of this section is a class A misdemeanor.

566.150. CERTAIN OFFENDERS NOT TO BE PRESENT OR LOITER WITHIN FIVE HUNDRED FEET OF A PUBLIC PARK, SWIMMING POOL, ATHLETIC COMPLEX, MUSEUM, OR NATURE CENTER — VIOLATION, PENALTY — EXCEPTION FOR NATURE OR EDUCATION CENTER, WHEN.

— 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual performance by a child; section 573.023,

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sexual exploitation of a minor; section 573.025, promoting child pornography; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not knowingly be present in or loiter within five hundred feet of any real property comprising any public park with playground equipment, a public swimming pool, athletic complex or athletic fields if such facilities exist for the primary use of recreation for children, any museum if such museum holds itself out to the public as and exists with the primary purpose of entertaining or educating children under eighteen years of age, or Missouri department of conservation nature or education center properties.

2. The first violation of the provisions of this section is a class E felony.

3. A second or subsequent violation of this section is a class D felony.

4. Any person who has been found guilty of an offense under subdivision (1) or (2) of subsection 1 of this section who is the parent, legal guardian, or custodian of a child under the age of eighteen attending a program on the property of a nature or education center of the Missouri department of conservation may receive permission from the nature or education center manager to be present on the property with the child during the program.

566.155. CERTAIN OFFENDERS NOT TO SERVE AS ATHLETIC COACHES, MANAGERS, OR TRAINERS — VIOLATION, PENALTY. — 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.037, possession of child pornography; section 573.025, promoting child pornography; or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a child less than seventeen years of age is a member or shall not supervise or employ any child under eighteen years of age.

2. The first violation of the provisions of this section is a class E felony.

3. A second or subsequent violation of this section is a class D felony.

567.020. PROSTITUTION — PENALTY — AFFIRMATIVE DEFENSE. — 1. A person commits the offense of prostitution if he or she engages in or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by any person.

2. The offense of prostitution is a class B misdemeanor unless the person knew prior to performing the act of prostitution that he or she was infected with HIV in which case prostitution is a class B felony. The use of condoms is not a defense to this offense.

3. As used in this section, "HIV" means the human immunodeficiency virus that causes acquired immunodeficiency syndrome.

4. The judge may order a drug and alcohol abuse treatment program for any person found guilty of prostitution, either after trial or upon a plea of guilty, before sentencing. For the class B misdemeanor offense, upon the successful completion of such program by the defendant, the court may at its discretion allow the defendant to withdraw the plea of guilty or reverse the verdict and enter a judgment of not guilty. For the class B felony offense, the court shall not allow the defendant to withdraw the plea of guilty or reverse the verdict and enter a judgment of not guilty. The judge, however, has discretion to take into consideration successful completion of a drug or alcohol treatment program in determining the defendant's sentence.

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5. [In addition to the affirmative defense provided in subsection 2 of section 566.223, it shall be an affirmative defense to prosecution pursuant to this section that the defendant] A person shall not be certified as an adult or adjudicated as a delinquent for the offense of prostitution under this section if the person was under the age of eighteen [and was acting under the coercion, as defined in section 566.200, of an agent] at the time [of] the offense [charged] occurred. In such cases where the [defendant] person was under the age of eighteen, the [defendant] person shall be classified as a victim of abuse, as defined under section 210.110, and such abuse shall be reported immediately to the children's division, as required under section 210.115 and to the juvenile officer for appropriate services, treatment, investigation, and other proceedings as provided under chapters 207, 210, and 211. Upon request, the local law enforcement agency and the prosecuting attorney shall assist the children's division and the juvenile officer in conducting the investigation.

573.010. DEFINITIONS. — As used in this chapter the following terms shall mean:

(1) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude;

(2) "Characterized by", describing the essential character or dominant theme of an item;

(3) "Child", any person under the age of fourteen;

(4) "Child pornography":

(a) Any obscene material or performance depicting sexual conduct, sexual contact as defined in section 566.010, or a sexual performance and which has as one of its participants or portrays as an observer of such conduct, contact, or performance a minor; or

(b) Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where:

a. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

b. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct, in that the depiction is such that an ordinary person viewing the depiction would conclude that the depiction is of an actual minor engaged in sexually explicit conduct; or

c. Such visual depiction has been created, adapted, or modified to show that an identifiable minor is engaging in sexually explicit conduct. "Identifiable minor" means a person who was a minor at the time the visual depiction was created, adapted, or modified; or whose image as a minor was used in creating, adapting, or modifying the visual depiction; and who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature. The term "identifiable minor" shall not be construed to require proof of the actual identity of the identifiable minor;

(5) "Employ", "employee", or "employment", any person who performs any service on the premises of a sexually oriented business, on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises;

(6) "Explicit sexual material", any pictorial or three-dimensional material depicting human masturbation, deviate sexual intercourse, sexual intercourse, direct physical stimulation or unclothed genitals, sadomasochistic abuse, or emphasizing the depiction of postpubertal human genitals; provided, however, that works of art or of anthropological significance shall not be deemed to be within the foregoing definition;

(7) "Furnish", to issue, sell, give, provide, lend, mail, deliver, transfer, circulate, disseminate, present, exhibit or otherwise provide;

(8) "Material", anything printed or written, or any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. Material includes undeveloped photographs, molds, printing plates, stored computer data and other latent representational objects;

(9) "Minor", any person less than eighteen years of age;

(10) "Nudity" or "state of nudity", the showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola;

(11) "Obscene", any material or performance if, taken as a whole:

(a) Applying contemporary community standards, its predominant appeal is to prurient interest in sex; and

(b) The average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and

(c) A reasonable person would find the material lacks serious literary, artistic, political or scientific value;

(12) "Operator", any person on the premises of a sexually oriented business who causes the business to function, puts or keeps the business in operation, or is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business whether or not such person is an owner, part owner, or licensee of the business;

(13) "Performance", any play, motion picture film, videotape, dance or exhibition performed before an audience of one or more;

(14) "Pornographic for minors", any material or performance if the following apply:

(a) The average person, applying contemporary community standards, would find that the material or performance, taken as a whole, has a tendency to cater or appeal to a prurient interest of minors; and

(b) The material or performance depicts or describes nudity, sexual conduct, the condition of human genitals when in a state of sexual stimulation or arousal, or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors; and

(c) The material or performance, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors;

(15) "Premises", the real property upon which a sexually oriented business is located, and all appurtenances thereto and buildings thereon, including but not limited to the sexually oriented business, the grounds, private walkways, and parking lots or parking garages or both;

(16) "Promote", to manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer or agree to do the same, by any means including a computer;

(17) "Regularly", the consistent and repeated doing of the act so described;

(18) "Sadomasochistic abuse", flagellation or torture by or upon a person as an act of sexual stimulation or gratification;

(19) "Semi-nude" or "state of semi-nudity", the showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include any portion of the cleavage of the female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part;

(20) "Sexual conduct", actual or simulated, normal or perverted acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed

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genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification;

(21) "Sexually explicit conduct", actual or simulated:

(a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

(b) Bestiality;

(c) Masturbation;

(d) Sadistic or masochistic abuse; or

(e) Lascivious exhibition of the genitals or pubic area of any person;

(22) "Sexually oriented business" includes:

(a) An adult bookstore or adult video store. "Adult bookstore" or "adult video store" means a commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas. A principal business activity exists where the commercial establishment:

a. Has a substantial portion of its displayed merchandise which consists of such items; or

b. Has a substantial portion of the wholesale value of its displayed merchandise which consists of such items; or

c. Has a substantial portion of the retail value of its displayed merchandise which consists of such items; or

d. Derives a substantial portion of its revenues from the sale or rental, for any form of consideration, of such items; or

e. Maintains a substantial section of its interior business space for the sale or rental of such items; or

f. Maintains an adult arcade. "Adult arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting specified sexual activities or specified anatomical areas;

(b) An adult cabaret;

(c) An adult motion picture theater. "Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions, which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five persons for any form of consideration;

(d) A semi-nude model studio. "Semi-nude model studio" means a place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. Such definition shall not apply to any place where persons appearing in a state of semi-nudity do so in a modeling class operated:

a. By a college, junior college, or university supported entirely or partly by taxation;

b. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

c. In a structure:

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- (i) Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
- (ii) Where, in order to participate in a class, a student must enroll at least three days in advance of the class;
- (e) A sexual encounter center. "Sexual encounter center" means a business or commercial enterprise that, as one of its principal purposes, purports to offer for any form of consideration physical contact in the form of wrestling or tumbling between two or more persons when one or more of the persons is semi-nude;
- (23) "Sexual performance", any performance, or part thereof, which includes sexual conduct by a child who is less than ~~seventeen~~ eighteen years of age;
- (24) "Specified anatomical areas" include:
 - (a) Less than completely and opaquely covered: human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
 - (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered;
- (25) "Specified sexual activity", includes any of the following:
 - (a) Intercourse, oral copulation, masturbation, or sodomy; or
 - (b) Excretory functions as a part of or in connection with any of the activities described in paragraph (a) of this subdivision;
- (26) "Substantial", at least thirty percent of the item or items so modified;
- (27) "Visual depiction", includes undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image.

573.024. ENABLING SEXUAL EXPLOITATION OF A MINOR, OFFENSE OF — PENALTY. — 1. A person commits the offense of enabling sexual exploitation of a minor if such person acting with criminal negligence permits or allows any violation of section 566.210, 566.211, 573.020, 573.023, 573.025, 573.030, 573.035, 573.200, or 573.205.

2. The offense of enabling sexual exploitation of a minor is a class E felony for the first offense and a class C felony for a second or subsequent offense.

3. If the person guilty of the offense of enabling sexual exploitation of a minor is an owner of a business or the owner's agent and the business provided the location or locations for such exploitation, the business location or locations shall be required to close for up to one year for the first offense, and the length of time shall be determined by the court. For a second offense, such business location or locations shall permanently close. As used in this section, "business" shall include, but is not limited to, a hotel or massage parlor and "owner's agent" shall include, any person empowered to manage the owner's business location or locations.

573.206. PATRONIZING A SEXUAL PERFORMANCE OF A CHILD, OFFENSE OF — PENALTY. — 1. A person commits the offense of patronizing a sexual performance by a child if such person obtains, solicits, or participates in a sexual performance by a child under eighteen years of age.

2. The offense of patronizing a sexual performance by a child is a class C felony.

573.550. PROVIDING EXPLICIT SEXUAL MATERIAL TO A STUDENT, OFFENSE OF — PENALTY — DEFINITIONS. — 1. A person commits the offense of providing explicit sexual material to a student if such person is affiliated with a public or private elementary or secondary school in an official capacity and, knowing of its content and character, such person provides, assigns, supplies, distributes, loans, or coerces acceptance of or the approval of the providing of explicit sexual material to a student or possesses with the purpose of providing, assigning, supplying, distributing, loaning, or coercing acceptance of or the approval of the providing of explicit sexual material to a student.

2. The offense of providing explicit sexual material to a student is a class A misdemeanor.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

3. As used in this section, the following terms shall mean:

(1) "Explicit sexual material", any pictorial, three-dimensional, or visual depiction, including any photography, film, video, picture, or computer-generated image, showing human masturbation, deviate sexual intercourse as defined in section 566.010, sexual intercourse, direct physical stimulation of genitals, sadomasochistic abuse, or emphasizing the depiction of postpubertal human genitals; provided, however, that works of art, when taken as a whole, that have serious artistic significance, or works of anthropological significance, or materials used in science courses, including but not limited to materials used in biology, anatomy, physiology, and sexual education classes shall not be deemed to be within the foregoing definition;

(2) "Person affiliated with a public or private elementary or secondary school in an official capacity", an administrator, teacher, librarian, media center personnel, substitute teacher, teacher's assistant, student teacher, law enforcement officer, school board member, school bus driver, guidance counselor, coach, guest lecturer, guest speaker, or other nonschool employee who is invited to present information to students by a teacher, administrator, or other school employee. Such term shall not include a student enrolled in the elementary or secondary school.

589.404. DEFINITIONS. — As used in sections 589.400 to 589.425, the following terms mean:

(1) "Adjudicated" or "adjudication", adjudication of delinquency, a finding of guilt, plea of guilt, finding of not guilty due to mental disease or defect, or plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

(2) "Adjudicated delinquent", a person found to have committed an offense that, if committed by an adult, would be a criminal offense;

(3) "Chief law enforcement official", the sheriff's office of each county or the police department of a city not within a county;

(4) "Offender registration", the required minimum informational content of sex offender registries, which shall consist of, but not be limited to, a full set of fingerprints on a standard sex offender registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(5) "Residence", any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(6) "Sex offender", any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248;

(7) "Sex offense", any offense which is listed under section 589.414 or comparable to those listed under section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248;

(8) "Sexual act", any type or degree of genital, oral, or anal penetration;

(9) "Sexual conduct", sexual intercourse, deviate sexual intercourse, or sexual contact;

(10) "Sexual contact", any [sexual touching of or contact with a person's body, either directly or through the clothing] touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another person, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

~~[(10)]~~ (11) "Sexual element", used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities shall refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, the plea agreement, or court documentation to determine if a sexual element exists;

~~[(11)]~~ (12) "Signature", the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;

~~[(12)]~~ (13) "Student", an individual who enrolls in or attends the physical location of an educational institution, including a public or private secondary school, trade or professional school, or an institution of higher education;

~~[(13)]~~ (14) "Vehicle", any land vehicle, watercraft, or aircraft.

595.201. SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS — DEFINITIONS. — 1. This section shall be known and may be cited as the "Sexual Assault Survivors' Bill of Rights". These rights shall be in addition to other rights as designated by law and no person shall discourage a person from exercising these rights. For the purposes of this section, "sexual assault survivor" means any person who is fourteen years of age or older and who may be a victim of a sexual offense who presents themselves to an appropriate medical provider, law enforcement officer, prosecuting attorney, or court.

2. [The rights provided to survivors in this section attach whenever a survivor is subject to a forensic examination, as provided in section 595.220; and whenever a survivor is subject to an interview by a law enforcement official, prosecuting attorney, or defense attorney.] A sexual assault survivor retains all the rights of this section [at all times] regardless of whether [the survivor agrees to participate in the criminal justice system or in family court; and regardless of whether the survivor consents to a forensic examination to collect sexual assault forensic evidence. The following rights shall be afforded to sexual assault survivors] a criminal investigation or prosecution results or if the survivor has previously waived any of these rights. A sexual assault survivor has the right to:

(1) [A survivor has the right to] Consult with an employee or volunteer of a rape crisis center [during any forensic examination that is subject to confidentiality requirements pursuant to section 455.003, as well as the right to have a support person of the survivor's choosing present, subject to federal regulations as provided in 42 CFR 482; and during any interview by a law enforcement official, prosecuting attorney, or defense attorney. A survivor retains this right even if the survivor has waived the right in a previous examination or interview;

(2) Reasonable costs incurred by a medical provider for the forensic examination portion of the examination of a survivor shall be paid by the department of public safety, out of appropriations made for that purpose, as provided under section 595.220. Evidentiary collection kits shall be developed and made available, subject to appropriations, to appropriate medical providers by the highway patrol or its designees and eligible crime laboratories. All appropriate medical provider charges for eligible forensic examinations shall be billed to and paid by the department of public safety;

(3) Before a medical provider commences a forensic examination of a survivor, the medical provider shall provide the survivor with a document to be developed by the department of public safety that explains the rights of survivors, pursuant to this section, in clear language that is comprehensible to a person proficient in English at the fifth-grade level, accessible to persons with visual disabilities, and available in all major languages of the state. This document shall include, but is not limited to:

(a) The survivor's rights pursuant to this section and other rules and regulations by the department of public safety and the department of health and senior services, which shall be signed by the survivor of sexual assault to confirm receipt;

(b) The survivor's right to consult with an employee or volunteer of a rape crisis center, to be summoned by the medical provider before the commencement of the forensic examination, unless no employee or volunteer of a rape crisis center can be summoned in a reasonably timely manner, and to have present at least one support person of the victim's choosing;

(c) If an employee or volunteer of a rape crisis center or a support person cannot be summoned in a timely manner, the ramifications of delaying the forensic examination; and

(d) After the forensic examination, the survivor's right to shower at no cost, unless showering facilities are not reasonably available;

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(4) Before commencing an interview of a survivor, a law enforcement officer, prosecuting attorney, or defense attorney shall inform the survivor of the following:

(a) The survivor's rights pursuant to this section and other rules and regulations by the department of public safety and the department of health and senior services, which shall be signed by the survivor of sexual assault to confirm receipt;

(b) The survivor's right to consult with an employee or volunteer of a rape crisis center during any interview by a law enforcement official, prosecuting attorney, or defense attorney, to be summoned by the interviewer before the commencement of the interview, unless no employee or volunteer of a rape crisis center can be summoned in a reasonably timely manner;

(c) The survivor's right to have a support person of the survivor's choosing present during any interview by a law enforcement officer, prosecuting attorney, or defense attorney, unless the law enforcement officer, prosecuting attorney, or defense attorney determines in his or her good faith professional judgment that the presence of that individual would be detrimental to the purpose of the interview; and

(d) For interviews by a law enforcement officer, the survivor's right to be interviewed by a law enforcement official of the gender of the survivor's choosing. If no law enforcement official of that gender is reasonably available, the survivor shall be interviewed by an available law enforcement official only upon the survivor's consent;

(5) The right to counsel during an interview by a law enforcement officer or during any interaction with the legal or criminal justice systems within the state;

(6) A law enforcement official, prosecuting attorney, or defense attorney shall not, for any reason, discourage a survivor from receiving a forensic examination;

(7) A survivor has the right to prompt analysis of sexual assault forensic evidence, as provided under section 595.220;

(8) A survivor has the right to be informed, upon the survivor's request, of the results of the analysis of the survivor's sexual assault forensic evidence, whether the analysis yielded a DNA profile, and whether the analysis yielded a DNA match, either to the named perpetrator or to a suspect already in CODIS. The survivor has the right to receive this information through a secure and confidential message in writing from the crime laboratory so that the survivor can call regarding the results;

(9) A defendant or person accused or convicted of a crime against a survivor shall have no standing to object to any failure to comply with this section, and the failure to provide a right or notice to a survivor under this section may not be used by a defendant to seek to have the conviction or sentence set aside;

(10) The failure of a law enforcement agency to take possession of any sexual assault forensic evidence or to submit that evidence for analysis within the time prescribed under section 595.220 does not alter the authority of a law enforcement agency to take possession of that evidence or to submit that evidence to the crime laboratory, and does not alter the authority of the crime laboratory to accept and analyze the evidence or to upload the DNA profile obtained from that evidence into CODIS. The failure to comply with the requirements of this section does not constitute grounds in any criminal or civil proceeding for challenging the validity of a database match or of any database information, and any evidence of that DNA record shall not be excluded by a court on those grounds;

(11) No sexual assault forensic evidence shall be used to prosecute a survivor for any misdemeanor crimes or any misdemeanor crime pursuant to sections 579.015 to 579.185; or as a basis to search for further evidence of any unrelated misdemeanor crimes or any misdemeanor crime pursuant to sections 579.015 to 579.185, that shall have been committed by the survivor, except that sexual assault forensic evidence shall be admissible as evidence in any criminal or civil proceeding against the defendant or person accused;

(12) Upon initial interaction with a survivor, a law enforcement officer shall provide the survivor with a document to be developed by the department of public safety that explains the rights of survivors,

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Matter underscored is proposed language.

pursuant to this section, in clear language that is comprehensible to a person proficient in English at the fifth-grade level, accessible to persons with visual disabilities, and available in all major languages of the state. This document shall include, but is not limited to:

(a) A clear statement that a survivor is not required to participate in the criminal justice system or to receive a forensic examination in order to retain the rights provided by this section and other relevant law;

(b) Telephone and internet means of contacting nearby rape crisis centers and employees or volunteers of a rape crisis center;

(c) Forms of law enforcement protection available to the survivor, including temporary protection orders, and the process to obtain such protection;

(d) Instructions for requesting the results of the analysis of the survivor's sexual assault forensic evidence; and

(e) State and federal compensation funds for medical and other costs associated with the sexual assault and any municipal, state, or federal right to restitution for survivors in the event of a criminal trial;

(13) A law enforcement official shall, upon written request by a survivor, furnish within fourteen days of receiving such request a free, complete, and unaltered copy of all law enforcement reports concerning the sexual assault, regardless of whether the report has been closed by the law enforcement agency;

(14) A prosecuting attorney shall, upon written request by a survivor, provide:

(a) Timely notice of any pretrial disposition of the case;

(b) Timely notice of the final disposition of the case, including the conviction, sentence, and place and time of incarceration;

(c) Timely notice of a convicted defendant's location, including whenever the defendant receives a temporary, provisional, or final release from custody, escapes from custody, is moved from a secure facility to a less secure facility, or reenters custody; and

(d) A convicted defendant's information on a sex offender registry, if any;

(15) In either a civil or criminal case relating to the sexual assault, a survivor has the right to be reasonably protected from the defendant and persons acting on behalf of the defendant, as provided under section 595.209 and Article I, Section 32 of the Missouri Constitution;

(16) A survivor has the right to be free from intimidation, harassment, and abuse, as provided under section 595.209 and Article I, Section 32 of the Missouri Constitution;

(17) A survivor shall not be required to submit to a polygraph examination as a prerequisite to filing an accusatory pleading, as provided under 595.223, or to participating in any part of the criminal justice system;

(18) A survivor has the right to be heard through a survivor impact statement at any proceeding involving a post arrest release decision, plea, sentencing, post conviction release decision, or any other proceeding where a right of the survivor is at issue, as provided under section 595.229 and Article I, Section 32 of the Missouri Constitution.

3. For purposes of this section, the following terms mean:

(1) "CODIS", the Federal Bureau of Investigation's Combined DNA Index System that allows the storage and exchange of DNA records submitted by federal, state, and local DNA crime laboratories. The term "CODIS" includes the National DNA Index System administered and operated by the Federal Bureau of Investigation;

(2) "Crime", an act committed in this state which, regardless of whether it is adjudicated, involves the application of force or violence or the threat of force or violence by the offender upon the victim and shall include the crime of driving while intoxicated, vehicular manslaughter and hit and run; and provided, further, that no act involving the operation of a motor vehicle, except driving while intoxicated, vehicular manslaughter and hit and run, which results in injury to another shall constitute a

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crime for the purpose of this section, unless such injury was intentionally inflicted through the use of a motor vehicle. A crime shall also include an act of terrorism, as defined in 18 U.S.C. Section 2331, which has been committed outside of the United States against a resident of Missouri;

(3) "Crime laboratory", a laboratory operated or supported financially by the state, or any unit of city, county, or other local Missouri government that employs at least one scientist who examines physical evidence in criminal matters and provides expert or opinion testimony with respect to such physical evidence in a state court of law;

(4) "Disposition", the sentencing or determination of a penalty or punishment to be imposed upon a person convicted of a crime or found delinquent or against who a finding of sufficient facts for conviction or finding of delinquency is made;

(5) "Law enforcement official", a sheriff and his regular deputies, municipal police officer, or member of the Missouri state highway patrol and such other persons as may be designated by law as peace officers;

(6) "Medical provider", any qualified health care professional, hospital, other emergency medical facility, or other facility conducting a forensic examination of the survivor;

(7) "Rape crisis center", any public or private agency that offers assistance to victims of sexual assault, as the term sexual assault is defined in section 455.010, who are adults, as defined by section 455.010, or qualified minors, as defined by section 431.056;

(8) "Restitution", money or services which a court orders a defendant to pay or render to a survivor as part of the disposition;

(9) "Sexual assault survivor", any person who is a victim of an alleged sexual offense under sections 566.010 to 566.223 and, if the survivor is incompetent, deceased, or a minor who is unable to consent to counseling services, the parent, guardian, spouse, or any other lawful representative of the survivor, unless such person is the alleged assailant;

(10) "Sexual assault forensic evidence", any human biological specimen collected by a medical provider during a forensic medical examination from an alleged survivor, as provided for in section 595.220, including, but not limited to, a toxicology kit;

(11) "Survivor", a natural person who suffers direct or threatened physical, emotional, or financial harm as the result of the commission or attempted commission of a crime. The term "victim" also includes the family members of a minor, incompetent or homicide victim.] as defined in section 455.003;

(2) A sexual assault forensic examination as provided in section 595.220, or when a telehealth network is established, a forensic examination as provided in section 192.2520 and section 197.135;

(3) A shower and a change of clothing, as reasonably available, at no cost to the sexual assault survivor;

(4) Request to be examined by an appropriate medical provider or interviewed by a law enforcement officer of the gender of the sexual assault survivor's choosing, when there is an available appropriate medical provider or law enforcement official of the gender of the sexual assault survivor's choosing;

(5) An interpreter who can communicate in the language of the sexual assault survivor's choice, as is reasonably available, in a timely manner;

(6) Notification and basic overview of the options of choosing a reported evidentiary collection kit, unreported evidentiary collection kit, or anonymous evidentiary collection kit as defined in section 595.220;

(7) Notification about the evidence tracking system as defined in subsection 9 of section 595.220;

(8) Notification about the right to information pursuant to subsection 4 of section 610.100;

(9) Be free from intimidation, harassment, and abuse in any related criminal or civil proceeding and the right to reasonable protection from the offender or any person acting on behalf of the offender from harm and threats of harm arising out of the survivor's disclosure of the sexual assault.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.

Matter underscored is proposed language.

3. An appropriate medical provider, law enforcement officer, and prosecuting attorney shall provide the sexual assault survivor with notification of the rights of survivors pursuant to subsection 2 of this section in a timely manner. Each appropriate medical provider, law enforcement officer, and prosecuting attorney shall ensure that the sexual assault survivor has been notified of these rights.

4. The department of public safety shall develop a document in collaboration with Missouri-based stakeholders. Missouri-based stakeholders shall include, but not be limited to, the following:

- (1) Prosecuting attorneys;
- (2) Chief law enforcement officers or their designees;
- (3) Appropriate medical providers, as defined in section 595.220;
- (4) Representatives of the statewide coalition against domestic and sexual violence;
- (5) Representatives of rape crisis centers;
- (6) Representatives of the Missouri Hospital Association;
- (7) The director of the Missouri state highway patrol crime lab or their designee; and
- (8) The director of the department of health and senior services or their designee.

5. The document shall include the following:

- (1) A description of the rights of the sexual assault survivor pursuant to this section; and
- (2) Telephone and internet means for contacting the local rape crisis center, as defined in 455.003.

The department of public safety shall provide this document in clear language that is comprehensible to a person proficient in English and shall provide this document in any other foreign language spoken by at least five percent of the population in any county or city not within a county in Missouri.

595.226. IDENTIFIABLE INFORMATION IN COURT RECORDS TO BE REDACTED, WHEN — ACCESS TO INFORMATION PERMITTED, WHEN — DISCLOSURE OF IDENTIFYING INFORMATION REGARDING DEFENDANT, WHEN. — 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, including any visual or aural recordings that could be used to identify or locate any victim of an offense under chapter 566 or a victim of domestic assault or stalking shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include, but shall not be limited to, the name, home or temporary address, personal email address, telephone number, Social Security number, birth date, place of employment, any health information, including human immunodeficiency virus (HIV) status, any information from a forensic testing report, or physical characteristics, including an unobstructed visual image of the victim's face or body.

2. [If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.] Any person who is requesting identifying information of a victim and who has a legitimate interest in obtaining such information may petition the court for an in camera inspection of the records. If the court determines the person is entitled to all or any part of such records, the court may order production and disclosure of the records, but only if the court determines that the disclosure to the person or entity would not compromise the welfare or safety of the victim, and only after providing reasonable notice to the victim and after allowing the victim the right to respond to such request.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a case under chapter 566 or a case of domestic assault or stalking shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall

consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

595.320. DOMESTIC ASSAULT OFFENDERS, COSTS OF BATTERER INTERVENTION PROGRAM, HOW PAID. — If a judge orders a person who has been convicted of an offense under sections 565.072 to 565.076 to attend any batterer intervention program, as described in section 455.549, the person shall be financially responsible for any costs associated with attending such class.

632.305. DETENTION FOR EVALUATION AND TREATMENT, WHO MAY REQUEST — PROCEDURE — DURATION — DISPOSITION AFTER APPLICATION. — 1. An application for detention for evaluation and treatment may be executed by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, on a form provided by the court for such purpose, and **[must]** shall allege under oath, without a notarization requirement, that the applicant has reason to believe that the respondent is suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or to others. The application **[must]** shall specify the factual information on which such belief is based and should contain the names and addresses of all persons known to the applicant who have knowledge of such facts through personal observation.

2. The filing of a written application in court by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, shall authorize the applicant to bring the matter before the court on an ex parte basis to determine whether the respondent should be taken into custody and transported to a mental health facility. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found. If the court finds that there is probable cause, either upon testimony under oath or upon a review of affidavits, to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or others, it shall direct a peace officer to take the respondent into custody and transport him or her to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours unless further detention and treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

3. A mental health coordinator may request a peace officer to take or a peace officer may take a person into custody for detention for evaluation and treatment for a period not to exceed ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or herself or others is imminent unless such person is immediately taken into custody. Upon arrival at the mental health facility, the peace officer or mental health coordinator who conveyed such person or caused him or her to be conveyed shall either present the application for detention for evaluation and treatment upon which the court has issued a finding of probable cause and the respondent was taken into custody or complete an application for initial detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be based upon his or her own personal observations or investigations and shall contain the information required in subsection 1 of this section.

4. If a person presents himself or herself or is presented by others to a mental health facility and a licensed physician, a registered professional nurse or a mental health professional designated by the head of the facility and approved by the department for such purpose has reasonable cause to believe that the person is mentally disordered and presents an imminent likelihood of serious harm to himself or herself or others unless he or she is accepted for detention, the licensed physician, the mental health professional or the registered professional nurse designated by the facility and approved by the department may complete an application for detention for evaluation and treatment for a period not to exceed ninety-six hours. The application shall be based on his or her own personal observations or investigation and shall contain the information required in subsection 1 of this section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

5. Any oath required by the provisions of this section shall be subject to the provisions of section 492.060.

Approved June 30, 2022

SCS SB 799

Enacts provisions relating to escape from custody, with penalty provisions.

AN ACT to repeal section 575.200, RSMo, and to enact in lieu thereof one new section relating to escape from custody, with penalty provisions.

SECTION

A Enacting clause.

575.200 Escape or attempted escape from custody — penalty.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Section 575.200, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.200, to read as follows:

575.200. ESCAPE OR ATTEMPTED ESCAPE FROM CUSTODY — PENALTY. — 1. A person commits the offense of escape from custody or attempted escape from custody if, while being held in custody after arrest for any [crime] offense or violation of probation or parole, he or she escapes or attempts to escape from custody.

2. The offense of escape or attempted escape from custody is a class A misdemeanor unless:

(1) The person escaping or attempting to escape is under arrest for a felony, in which case it is a class E felony; or

(2) The offense is committed by means of a deadly weapon or dangerous instrument or by holding any person as hostage, in which case it is a class A felony.

Approved June 16, 2022

CCS HCS SB 820

Enacts provisions relating to utilities, with an effective date for a certain section.

AN ACT to repeal sections 44.032, 144.030, 386.890, 442.404, 523.010, 523.039, 523.040, 523.256, 610.021, 620.2450, 620.2451, and 620.2453, RSMo, and to enact in lieu thereof nineteen new sections relating to utilities, with an effective date for a certain section.

SECTION

A Enacting clause.

1.513 Broadband deployment, federal funds — failure to deploy, disclosure.

8.055 High speed Wi-Fi internet access at Capitol building.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

- 8.475 Citation of law — definitions — vertical real estate or towers, political subdivisions may be constructed.
- 44.032 Emergency powers of governor, uses — Missouri disaster fund, funding, expenditures, procedures, purposes — aid to political subdivisions, when, procedure — expenditures in excess of \$1,000, governor to approve.
- 144.030 Exemptions from state and local sales and use taxes.
- 386.885 Task force on distributed energy resources and net metering established — members — report — meetings — study — expiration.
- 386.890 Citation of law — definitions — retail electric suppliers, duties — metering equipment requirements — electrical energy generation units, calculation, requirements — report — rules — liability for damages.
- 442.404 Political signs, homeowners' associations not to prohibit — reasonable restrictions and removal permitted, when.
- 523.010 Lands may be condemned, when — petition — parties — power of public utility to condemn certain lands, limitation.
- 523.025 Involuntary easement by eminent domain by electrical corporation, financial commitments to project required — failure, remedy.
- 523.039 Just compensation for condemned property, amount.
- 523.040 Appointment of commissioners — duties — notice of property viewing.
- 523.256 Good faith negotiation required, findings, remedies.
- 610.021 Closed meetings and closed records authorized when, exceptions.
- 620.2450 Program established, expanded access to broadband internet service — definitions.
- 620.2451 Grants, use of moneys — recordkeeping requirements.
- 620.2453 Application, contents.
- 620.2465 Program to increase high-speed internet access — rules.
- 620.2468 Site inspection.
- B Effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 44.032, 144.030, 386.890, 442.404, 523.010, 523.039, 523.040, 523.256, 610.021, 620.2450, 620.2451, and 620.2453, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 1.513, 8.055, 8.475, 44.032, 144.030, 386.885, 386.890, 442.404, 523.010, 523.025, 523.039, 523.040, 523.256, 610.021, 620.2450, 620.2451, 620.2453, 620.2465, and 620.2468, to read as follows:

1.513. BROADBAND DEPLOYMENT, FEDERAL FUNDS — FAILURE TO DEPLOY, DISCLOSURE. — 1. The state of Missouri is hereby authorized to seek the deposit of federal funds designated for broadband deployment in Missouri from broadband providers who default or otherwise fail to complete deployment as agreed upon with the federal government. Such federal funds shall be deposited into a fund that is under the supervision of the Missouri office of broadband development.

2. Any provider in Missouri who defaults or otherwise fails to deploy broadband after receiving federal funds or any moneys from any other state for broadband services shall disclose such default or failure to deploy broadband services on any application to receive any state moneys in Missouri within seven days of such notice of default or failure to deploy broadband services. Any provider who has defaulted in this state or any other state shall be presumed incapable of fulfilling the provider's obligations to deploy broadband internet in Missouri. Such presumption shall be rebuttable.

3. The Missouri office of broadband development is hereby authorized to adjudicate any such findings under subsection 2 of this section in a manner consistent with Missouri law.

8.055. HIGH SPEED WI-FI INTERNET ACCESS AT CAPITOL BUILDING. — Beginning January 1, 2024, unified high speed Wi-Fi internet access shall be provided to the public within the capitol building and on capitol grounds. Such Wi-Fi access shall be of adequate bandwidth and connectivity to accommodate the number of users in the capitol building and on capitol grounds.

8.475. CITATION OF LAW — DEFINITIONS — VERTICAL REAL ESTATE OR TOWERS, POLITICAL SUBDIVISIONS MAY BE CONSTRUCTED. — 1. This section shall be known and may be cited as the "Vertical Real Estate Act".

2. As used in this section, the following terms mean:

(1) "Ground facilities", any shed, building, server room, or other ancillary structure providing an essential service to a tower including, but not limited to, distributing power or providing communications backhaul;

(2) "Tower", a structure that hosts an antenna or other equipment used for the purpose of transmitting cellular or wireless signals for communications purposes, including telephonically, or for computing purposes, including all associated equipment;

(3) "Vertical real estate", any communication or broadcast tower or other structure or installation mounted on a rooftop or other prominent place, along with any facilities associated with that structure, that is suitable for mounting communications equipment upon and any associated ground facilities necessary to accommodate the communications purpose or any real estate suitable for the installation of a telecommunications vertical asset. Nothing in this definition shall prohibit terrestrial, middle-mile, or last-mile broadband or high-speed internet wiring or facilities installation under section 67.1847. Classification as "vertical real estate" shall not prevent any utility installation including, but not limited to, water, electric, or sewer services.

3. Any political subdivision of the state of Missouri is hereby authorized to erect vertical real estate or towers on its property unless otherwise proscribed by law. Any such political subdivision is hereby authorized to enter into public-private partnerships in order to effectuate construction of vertical real estate or towers.

44.032. EMERGENCY POWERS OF GOVERNOR, USES — MISSOURI DISASTER FUND, FUNDING, EXPENDITURES, PROCEDURES, PURPOSES — AID TO POLITICAL SUBDIVISIONS, WHEN, PROCEDURE — EXPENDITURES IN EXCESS OF \$1,000, GOVERNOR TO APPROVE. — 1. (1) As used in this section, the term "rural electric cooperative" means any rural electric cooperative organized or operating under the provisions of chapter 394, any corporation organized on a nonprofit or a cooperative basis as described in subsection 1 of section 394.200, or any electrical corporation operating under a cooperative business plan as described in subsection 2 of section 393.110.

(2) The general assembly recognizes the necessity for anticipating and making advance provisions to care for the unusual and extraordinary burdens imposed by disasters or emergencies on this state [and], its political subdivisions [by disasters or emergencies], and rural electric cooperatives. To meet such situations, it is the intention of the general assembly to confer emergency powers on the governor, acting through the director, and vesting the governor with adequate power and authority within the limitation of available funds in the Missouri disaster fund to meet any such emergency or disaster.

2. There is hereby established a fund to be known as the "Missouri Disaster Fund", to which the general assembly may appropriate funds and from which funds may be appropriated annually to the state emergency management agency. The funds appropriated shall be expended during a state emergency at the direction of the governor and upon the issuance of an emergency declaration which shall set forth the emergency and shall state that it requires the expenditure of public funds to furnish immediate aid and relief. The director of the state emergency management agency shall administer the fund.

3. Expenditures may be made upon direction of the governor for emergency management, as defined in section 44.010, or to implement the state disaster plans. Expenditures may also be made to meet the matching requirements of state and federal agencies for any applicable assistance programs.

4. Assistance may be provided from the Missouri disaster fund to political subdivisions of this state [which] and rural electric cooperatives that have suffered from a disaster to such an extent as to impose a severe financial burden exceeding the ordinary reserve capacity of the subdivision or rural electric cooperative affected. Applications for aid under this section shall be made to the state emergency management agency on such forms as may be prescribed and furnished by the agency, which forms shall require the furnishing of sufficient information to determine eligibility for aid and the extent of the financial burden incurred. The agency may call upon other agencies of the state in evaluating such applications. The director of the state emergency management agency shall review each application for aid under the provisions of this section and recommend its approval or disapproval, in whole or in part, to the governor. If approved, the governor shall determine and certify to the director of the state emergency management agency the amount of aid to be furnished. The director of the state emergency management agency shall thereupon issue [his] the director's voucher to the commissioner of administration, who shall issue [his] the commissioner's warrants therefor to the applicant.

5. When a disaster or emergency has been proclaimed by the governor or there is a national emergency, the director of the state emergency management agency, upon order of the governor, shall have authority to expend funds for the following:

(1) The purposes of sections 44.010 to 44.130 and the responsibilities of the governor and the state emergency management agency as outlined in sections 44.010 to 44.130;

(2) Employing, for the duration of the response and recovery to emergency, additional personnel and contracting or otherwise procuring necessary appliances, supplies, equipment, and transport;

(3) Performing services for and furnishing materials and supplies to state government agencies, counties, [and] municipalities, and rural electric cooperatives with respect to performance of any duties enjoined by law upon such agencies, counties, [and] municipalities, and rural electric cooperatives which they are unable to perform because of extreme natural or man-made phenomena, and receiving reimbursement in whole or in part from such agencies, counties, [and] municipalities, and rural electric cooperatives able to pay therefor under such terms and conditions as may be agreed upon by the director of the state emergency management agency and any such agency, county, [or] municipality, or rural electric cooperative;

(4) Performing services for and furnishing materials to any individual in connection with alleviating hardship and distress growing out of extreme natural or man-made phenomena, and receiving reimbursement in whole or in part from such individual under such terms as may be agreed upon by the director of the state emergency management agency and such individual;

(5) Providing services to counties and municipalities with respect to quelling riots and civil disturbances;

(6) Repairing and restoring public infrastructure;

(7) Furnishing transportation for supplies to alleviate suffering and distress;

(8) Furnishing medical services and supplies to prevent the spread of disease and epidemics;

(9) Quelling riots and civil disturbances;

(10) Training individuals or governmental agencies for the purpose of perfecting the performance of emergency assistance duties as defined in the state disaster plans;

(11) Procurement, storage, and transport of special emergency supplies or equipment determined by the director to be necessary to provide rapid response by state government to assist counties and municipalities in impending or actual emergencies;

(12) Clearing or removing from publicly or privately owned land or water, debris and wreckage which may threaten public health or safety;

(13) Reimbursement to any urban search and rescue task force for any reasonable and necessary expenditures incurred in the course of responding to any declared emergency under this section; and

(14) Such other measures as are customarily necessary to furnish adequate relief in cases of catastrophe or disaster.

6. The governor may receive such voluntary contributions as may be made from any source to aid in carrying out the purposes of this section and shall credit the same to the Missouri disaster fund.

7. All obligations and expenses incurred by the governor in the exercise of the powers and duties vested by the provisions of this section shall be paid by the state treasurer out of available funds in the Missouri disaster fund, and the commissioner of administration shall draw warrants upon the state treasurer for the payment of such sum, or so much thereof as may be required, upon receipt of proper vouchers provided by the director of the state emergency management agency.

8. The provisions of this section shall be liberally construed in order to accomplish the purposes of sections 44.010 to 44.130 and to permit the governor to cope adequately with any emergency which may arise, and the powers vested in the governor by this section shall be construed as being in addition to all other powers presently vested in the governor and not in derogation of any existing powers.

9. Such funds as may be made available by the government of the United States for the purpose of alleviating distress from disasters may be accepted by the state treasurer and shall be credited to the Missouri disaster fund, unless otherwise specifically provided in the act of Congress making such funds available.

10. The foregoing provisions of this section notwithstanding, any expenditure or proposed series of expenditures which total in excess of one thousand dollars per project shall be approved by the governor prior to the expenditure.

144.030. EXEMPTIONS FROM STATE AND LOCAL SALES AND USE TAXES. — 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining,

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Matter underscored is proposed language.

producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term "product" includes telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term "manufacturing" has included and continues to include the production and transmission of "telecommunications services", as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002);

and Southwestern Bell Tel. Co. v. Director of Revenue, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision,

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Matter underscored is proposed language.

the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

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(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under section 67.1830 or 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

(a) Are sold or leased to an end user; or

(b) Are used to produce, collect and transmit electricity for resale or retail.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of

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the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

386.885. TASK FORCE ON DISTRIBUTED ENERGY RESOURCES AND NET METERING ESTABLISHED — MEMBERS — REPORT — MEETINGS — STUDY — EXPIRATION. — 1. There is hereby established the "Task Force on Distributed Energy Resources and Net Metering", which shall be composed of the following members:

(1) Two members of the senate, with one appointed by the president pro tempore of the senate and one appointed by the minority floor leader of the senate;

(2) Two members of the house of representatives, with one appointed by the speaker of the house of representatives and one appointed by the minority floor leader of the house of representatives;

(3) The director of the division of energy, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(4) The chair of the public service commission, or his or her designee, to serve as a member and to provide technical assistance;

(5) The director of the office of public counsel, or his or her designee, to serve as a member and to provide technical assistance;

(6) A representative from each of the three segments of the retail electric energy industry appointed by the president pro tempore of the senate from the respective nominees submitted by the statewide associations of the investor-owned electric utilities, rural electric cooperatives, and municipally-owned electric utilities;

(7) One representative of the retail distributed energy resources industry appointed by the chair of the public service commission;

(8) One representative from an organization that advocates for policy supporting renewable energy development appointed by the chair of the public service commission; and

(9) One representative from an organization that advocates for the interests of low-income utility customers appointed by the chair of the public service commission.

2. The task force shall conduct public hearings and research, and shall compile a report for delivery to the general assembly by no later than December 31, 2023. Such report shall include information on the following:

(1) A distributed energy resources study, which shall include a value of solar study along with the practical and economic benefits, challenges, and drawbacks of increased distributed energy generation in the state;

(2) Potential legislation regarding community solar as operated by non-utility entities and the fair and equitable setting of rates between distributed generation and non-distributed generation consumers; and

(3) Potential legislation, including but not limited to changes to the net metering and easy connection act, if any, that would promote the overall public interest.

3. The task force shall meet within thirty days after its creation and shall organize by selecting a chairperson and vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. Thereafter, the task force may meet as often as necessary in order to accomplish the tasks assigned to it. A majority of the task force shall constitute a quorum, and a majority vote of such quorum shall be required for any action.

4. The staff of house research and senate research shall provide necessary clerical, research, fiscal, and legal services to the task force, as the task force may request.

5. The division of energy shall oversee the distributed energy resources study to be selected and conducted by an independent and objective expert with input from the members of the task force. The

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cost of such study shall be paid for through funds available from federal and state grants applied for by the division of energy. The division of energy shall establish procedures for the submission and non-public disclosure of confidential and proprietary information.

6. The members of the task force shall serve without compensation but may be reimbursed for any actual and necessary expenses incurred in the performance of the task force's official duties.

7. This section shall expire on December 31, 2023, or at the conclusion of the task force's work, whichever is sooner.

386.890. CITATION OF LAW — DEFINITIONS — RETAIL ELECTRIC SUPPLIERS, DUTIES — METERING EQUIPMENT REQUIREMENTS — ELECTRICAL ENERGY GENERATION UNITS, CALCULATION, REQUIREMENTS — REPORT — RULES — LIABILITY FOR DAMAGES. — 1. This section shall be known and may be cited as the "Net Metering and Easy Connection Act".

2. As used in this section, the following terms shall mean:

(1) "Avoided fuel cost", the current average cost of fuel for the entity generating electricity, as defined by the governing body with jurisdiction over any municipal electric utility, rural electric cooperative as provided in chapter 394, or electrical corporation as provided in this chapter;

(2) "Commission", the public service commission of the state of Missouri;

(3) "Customer-generator", the owner or operator of a qualified electric energy generation unit which:

(a) Is powered by a renewable energy resource;

(b) Has an electrical generating system with a capacity of not more than one hundred kilowatts;

(c) Is located on a premises owned, operated, leased, or otherwise controlled by the customer-generator;

(d) Is interconnected and operates in parallel phase and synchronization with a retail electric supplier and has been approved by said retail electric supplier;

(e) Is intended primarily to offset part or all of the customer-generator's own electrical energy requirements;

(f) Meets all applicable safety, performance, interconnection, and reliability standards established by the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities; and

(g) Contains a mechanism that automatically disables the unit and interrupts the flow of electricity back onto the supplier's electricity lines in the event that service to the customer-generator is interrupted;

(4) "Department", the department of [economic development] natural resources;

(5) "Net metering", using metering equipment sufficient to measure the difference between the electrical energy supplied to a customer-generator by a retail electric supplier and the electrical energy supplied by the customer-generator to the retail electric supplier over the applicable billing period;

(6) "Renewable energy resources", electrical energy produced from wind, solar thermal sources, hydroelectric sources, photovoltaic cells and panels, fuel cells using hydrogen produced by one of the above-named electrical energy sources, and other sources of energy that become available after August 28, 2007, and are certified as renewable by the department;

(7) "Retail electric supplier" or "supplier", any [municipal] municipally owned electric utility operating under chapter 91, electrical corporation regulated by the commission under this chapter, or rural electric cooperative operating under chapter 394 that provides retail electric service in this state. An electrical corporation that operates under a cooperative business plan as described in subsection 2 of section 393.110 shall be deemed to be a rural electric cooperative for purposes of this section.

3. A retail electric supplier shall:

(1) Make net metering available to customer-generators on a first-come, first-served basis until the total rated generating capacity of net metering systems equals five percent of the [utility's] retail electric

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supplier's single-hour peak load during the previous year, after which the commission for [a public utility] an electrical corporation or the respective governing body [for] of other [electric utilities] retail electric suppliers may increase the total rated generating capacity of net metering systems to an amount above five percent. However, in a given calendar year, no retail electric supplier shall be required to approve any application for interconnection if the total rated generating capacity of all applications for interconnection already approved to date by said supplier in said calendar year equals or exceeds one percent of said supplier's single-hour peak load for the previous calendar year;

(2) Offer to the customer-generator a tariff or contract that is identical in electrical energy rates, rate structure, and monthly charges to the contract or tariff that the customer would be assigned if the customer were not an eligible customer-generator but shall not charge the customer-generator any additional standby, capacity, interconnection, or other fee or charge that would not otherwise be charged if the customer were not an eligible customer-generator; and

(3) Disclose annually the availability of the net metering program to each of its customers with the method and manner of disclosure being at the discretion of the supplier.

4. A customer-generator's facility shall be equipped with sufficient metering equipment that can measure the net amount of electrical energy produced or consumed by the customer-generator. If the customer-generator's existing meter equipment does not meet these requirements or if it is necessary for the retail electric supplier to install additional distribution equipment to accommodate the customer-generator's facility, the customer-generator shall reimburse the retail electric supplier for the costs to purchase and install the necessary additional equipment. At the request of the customer-generator, such costs may be initially paid for by the retail electric supplier, and any amount up to the total costs and a reasonable interest charge may be recovered from the customer-generator over the course of up to twelve billing cycles. Any subsequent meter testing, maintenance or meter equipment change necessitated by the customer-generator shall be paid for by the customer-generator.

5. Consistent with the provisions in this section, the net electrical energy measurement shall be calculated in the following manner:

(1) For a customer-generator, a retail electric supplier shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the customer-generator's consumption and production of electricity;

(2) If the electricity supplied by the supplier exceeds the electricity generated by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the supplier in accordance with normal practices for customers in the same rate class;

(3) If the electricity generated by the customer-generator exceeds the electricity supplied by the supplier during a billing period, the customer-generator shall be billed for the appropriate customer charges for that billing period in accordance with subsection 3 of this section and shall be credited an amount at least equal to the avoided fuel cost of the excess kilowatt-hours generated during the billing period, with this credit applied to the following billing period;

(4) Any credits granted by this subsection shall expire without any compensation at the earlier of either twelve months after their issuance or when the customer-generator disconnects service or terminates the net metering relationship with the supplier;

(5) For any rural electric cooperative under chapter 394, or [municipal] any municipally owned utility, upon agreement of the wholesale generator supplying electric energy to the retail electric supplier, at the option of the retail electric supplier, the credit to the customer-generator may be provided by the wholesale generator.

6. (1) Each qualified electric energy generation unit used by a customer-generator shall meet all applicable safety, performance, interconnection, and reliability standards established by any local code authorities, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical

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and Electronics Engineers, and Underwriters Laboratories for distributed generation. No supplier shall impose any fee, charge, or other requirement not specifically authorized by this section or the rules promulgated under subsection 9 of this section unless the fee, charge, or other requirement would apply to similarly situated customers who are not customer-generators, except that a retail electric supplier may require that a customer-generator's system contain a switch, circuit breaker, fuse, or other easily accessible device or feature located in immediate proximity to the customer-generator's metering equipment that would allow a utility worker the ability to manually and instantly disconnect the unit from the utility's electric distribution system.

(2) For systems of ten kilowatts or less, a customer-generator whose system meets the standards and rules under subdivision (1) of this subsection shall not be required to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance beyond what is required under subdivision (1) of this subsection and subsection 4 of this section.

(3) For customer-generator systems of greater than ten kilowatts, the commission for [public utilities] electrical corporations and the respective governing body for other [utilities] retail electric suppliers shall, by rule or equivalent formal action by each respective governing body:

(a) Set forth safety, performance, and reliability standards and requirements; and

(b) Establish the qualifications for exemption from a requirement to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance.

7. (1) Applications by a customer-generator for interconnection of a qualified electric energy generation unit meeting the requirements of subdivision (3) of subsection 2 of this section to the distribution system shall be accompanied by the plan for the customer-generator's electrical generating system, including but not limited to a wiring diagram and specifications for the generating unit, and shall be reviewed and responded to by the retail electric supplier within thirty days of receipt for systems ten kilowatts or less and within ninety days of receipt for all other systems. Prior to the interconnection of the qualified generation unit to the supplier's system, the customer-generator will furnish the retail electric supplier a certification from a qualified professional electrician or engineer that the installation meets the requirements of subdivision (1) of subsection 6 of this section. If the application for interconnection is approved by the retail electric supplier and the customer-generator does not complete the interconnection within one year after receipt of notice of the approval, the approval shall expire and the customer-generator shall be responsible for filing a new application.

(2) Upon the change in ownership of a qualified electric energy generation unit, the new customer-generator shall be responsible for filing a new application under subdivision (1) of this subsection.

8. Each [commission-regulated supplier] electrical corporation shall submit an annual net metering report to the commission, and all other [nonregulated] retail electric suppliers shall submit the same report to their respective governing body and make said report available to a consumer of the supplier upon request, including the following information for the previous calendar year:

(1) The total number of customer-generator facilities;

(2) The total estimated generating capacity of its net-metered customer-generators; and

(3) The total estimated net kilowatt-hours received from customer-generators.

9. The commission shall, within nine months of January 1, 2008, promulgate initial rules necessary for the administration of this section for [public utilities] electrical corporations, which shall include regulations ensuring that simple contracts will be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective

date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

10. The governing body of a rural electric cooperative or municipal utility shall, within nine months of January 1, 2008, adopt policies establishing a simple contract to be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions.

11. For any cause of action relating to any damages to property or person caused by the qualified electric energy generation unit of a customer-generator or the interconnection thereof, the retail electric supplier shall have no liability absent clear and convincing evidence of fault on the part of the supplier.

12. The estimated generating capacity of all net metering systems operating under the provisions of this section shall count towards the respective retail electric supplier's accomplishment of any renewable energy portfolio target or mandate adopted by the Missouri general assembly.

13. The sale of qualified electric energy generation units to any customer-generator shall be subject to the provisions of sections 407.010 to 407.145 and sections 407.700 to 407.720. The attorney general shall have the authority to promulgate in accordance with the provisions of chapter 536 rules regarding mandatory disclosures of information by sellers of qualified electric energy generation units. Any interested person who believes that the seller of any qualified electric energy generation unit is misrepresenting the safety or performance standards of any such systems, or who believes that any electric energy generation unit poses a danger to any property or person, may report the same to the attorney general, who shall be authorized to investigate such claims and take any necessary and appropriate actions.

14. Any costs incurred under this act by a retail electric supplier shall be recoverable in that utility's rate structure.

15. No consumer shall connect or operate [an] a qualified electric energy generation unit in parallel phase and synchronization with any retail electric supplier without written approval by said supplier that all of the requirements under subdivision (1) of subsection 7 of this section have been met. For a consumer who violates this provision, a supplier may immediately and without notice disconnect the electric facilities of said consumer and terminate said consumer's electric service.

16. The manufacturer of any qualified electric energy generation unit used by a customer-generator may be held liable for any damages to property or person caused by a defect in the qualified electric energy generation unit of a customer-generator.

17. The seller, installer, or manufacturer of any qualified electric energy generation unit who knowingly misrepresents the safety aspects of [an] a qualified electric energy generation unit may be held liable for any damages to property or person caused by the qualified electric energy generation unit of a customer-generator.

442.404. POLITICAL SIGNS, HOMEOWNERS' ASSOCIATIONS NOT TO PROHIBIT — REASONABLE RESTRICTIONS AND REMOVAL PERMITTED, WHEN. — 1. As used in this section, the following terms shall mean:

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached;

(3) "Solar panel or solar collector", a device used to collect and convert solar energy into electricity or thermal energy, including but not limited to photovoltaic cells or panels, or solar thermal systems.

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

[3.] (2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

[4.] (3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the installation of solar panels or solar collectors on the rooftop of any property or structure.

(2) A homeowners' association may adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the placement of solar panels or solar collectors to the extent that those rules do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device.

(3) The provisions of this subsection shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

523.010. LANDS MAY BE CONDEMNED, WHEN — PETITION — PARTIES — POWER OF PUBLIC UTILITY TO CONDEMN CERTAIN LANDS, LIMITATION. — 1. In case land, or other property, is sought to be appropriated by any road, railroad, street railway, telephone, telegraph or any electrical corporation organized for the manufacture or transmission of electric current for light, heat or power, including the construction, when that is the case, of necessary dams and appurtenant canals, flumes, tunnels and tailraces and including the erection, when that is the case, of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations or any oil, pipeline or gas corporation engaged in the business of transporting or carrying oil, liquid fertilizer solutions, or gas by means of pipes or pipelines laid underneath the surface of the ground, or other corporation created under the laws of this state for public use, and such corporation and the owners cannot agree upon the proper compensation to be paid, or in the case the owner is incapable of contracting, be unknown, or be a nonresident of the state, such corporation may apply to the circuit court of the county of this state where such land or any part thereof lies by petition setting forth the general directions in which it is desired to construct its road, railroad, street railway, telephone, or telegraph line or electric line, including, when that is the case, the construction and maintenance of necessary dams and appurtenant canals, tunnels, flumes and tailraces and, when that is the case, the appropriation of land submerged by the construction of such dam, and including the erection and maintenance, when that is the case, of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations, or oil, pipeline, liquid fertilizer solution pipeline, or gas line over or underneath the surface of such lands, a description of the real estate, or other property, which the company seeks to acquire; the names of the owners thereof, if known; or if unknown, a pertinent description of the property whose owners are unknown and praying the appointment of three disinterested residents of the county, as commissioners, or a jury, to assess the damages which such owners may severally sustain in consequence of the establishment, erection and

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maintenance of such road, railroad, street railway, telephone, telegraph line, or electrical line including damages from the construction and maintenance of necessary dams and the condemnation of land submerged thereby, and the construction and maintenance of appurtenant canals, flumes, tunnels and tailraces and the erection and maintenance of necessary electric steam powerhouses, hydroelectric powerhouses and electric substations, or oil, pipeline, or gas line over or underneath the surface of such lands; to which petition the owners of any or all as the plaintiff may elect of such parcels as lie within the county or circuit may be made parties defendant by names if the names are known, and by the description of the unknown owners of the land therein described if their names are unknown.

2. If the proceedings seek to affect the lands of persons under conservatorship, the conservators must be made parties defendant. If the present owner of any land to be affected has less estate than a fee, the person having the next vested estate in remainder may at the option of the petitioners be made party defendant; but if such remaindermen are not made parties, their interest shall not be bound by the proceedings.

3. It shall not be necessary to make any persons party defendants in respect to their ownership unless they are either in actual possession of the premises to be affected claiming title or having a title of the premises appearing of record upon the proper records of the county.

4. Except as provided in subsection 5 of this section, nothing in this chapter shall be construed to give a public utility, as defined in section 386.020, or a rural electric cooperative, as provided in chapter 394, the power to condemn property which is currently used by another provider of public utility service, including a municipality or a special purpose district, when such property is used or useful in providing utility services, if the public utility or cooperative seeking to condemn such property, directly or indirectly, will use or proposes to use the property for the same purpose, or a purpose substantially similar to the purpose for which the property is being used by the provider of the public utility service.

5. A public utility or a rural electric cooperative may only condemn the property of another provider of public utility service, even if the property is used or useful in providing utility services by such provider, if the condemnation is necessary for the public purpose of acquiring a nonexclusive easement or right-of-way across the property of such provider and only if the acquisition will not materially impair or interfere with the current use of such property by the utility or cooperative and will not prevent or materially impair such provider of public utility service from any future expansion of its facilities on such property.

6. If a public utility or rural electric cooperative seeks to condemn the property of another provider of public utility service, and the conditions in subsection 4 of this section do not apply, this section does not limit the condemnation powers otherwise possessed by such public utility or rural electric cooperative.

7. Suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation established under Article VI, Section 30(a) of the Missouri Constitution shall be brought only in the county where such land or any part thereof lies.

8. For purposes of this chapter, the authority for an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, to condemn property for purposes of constructing electric plant subject to a certificate of public convenience and necessity under subsection 1 of section 393.170 shall not extend to the construction of a merchant transmission line with Federal Energy Regulatory Commission negotiated rate authority unless such line has a substation or converter station located in Missouri which is capable of delivering an amount of its electrical capacity to electrical customers in this state that is greater than or equal to the proportionate number of miles of the line that passes through the state. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.

523.025. INVOLUNTARY EASEMENT BY EMINENT DOMAIN BY ELECTRICAL CORPORATION, FINANCIAL COMMITMENTS TO PROJECT REQUIRED — FAILURE, REMEDY. — If an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, acquires any involuntary easement in this state by means of eminent domain and does not obtain the financial commitments necessary to construct a project for which the involuntary easement in this state was needed within seven years of the date that such easement rights are recorded with the appropriate county recorder of deeds, the corporation shall return possession of the easement to the fee simple title holder within sixty days and cause the dissolution of the easement to be recorded with the county recorder of deeds. In the event of such return of the easement to the title holder, no reimbursement of any payment made by the corporation to the title holder shall be due.

523.039. JUST COMPENSATION FOR CONDEMNED PROPERTY, AMOUNT. — 1. In all [condemnation] eminent domain proceedings filed after December 31, 2006, just compensation for condemned property shall be determined under one of the three following subdivisions, whichever yields the highest compensation, as applicable to the particular type of property and taking:

- (1) An amount equivalent to the fair market value of such property;
- (2) For condemnations that result in a homestead taking, an amount equivalent to the fair market value of such property multiplied by one hundred twenty-five percent; or
- (3) For condemnations of property that result in any taking that prevents the owner from utilizing property in substantially the same manner as it was currently being utilized on the day of the taking and involving property owned within the same family for fifty or more years, an amount equivalent to the sum of the fair market value and heritage value. For the purposes of this subdivision, family ownership of property may be established through evidence of ownership by children, grandchildren, siblings, or nephews or nieces of the family member owning the property fifty years prior to the taking; and in addition, may be established through marriage or adoption by such family members. If any entity owns the real property, members of the family shall have an ownership interest in more than fifty percent of the entity in order to be within the family line of ownership for the purposes of this subdivision. The property owner shall have the burden of proving to the commissioners or [jury] court that the property has been owned within the same family for fifty or more years.

2. For eminent domain proceedings of any agricultural or horticultural property by an electrical corporation as defined in section 386.020, except for an electrical corporation operating under a cooperative business plan as described in section 393.110, for the purposes of constructing electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170 just compensation shall be an amount equivalent to fair market value multiplied by one hundred fifty percent, as determined by the court. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.

523.040. APPOINTMENT OF COMMISSIONERS — DUTIES — NOTICE OF PROPERTY VIEWING. — 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of

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Matter underscored is proposed language.

section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.

4. In any eminent domain proceeding involving agricultural or horticultural property, for purposes of constructing electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170 at least one of the disinterested commissioners appointed by the court shall be a farmer who has been engaged in farming, as defined in section 350.010, for a minimum of ten years in the county where such property is situated. The provisions of this subsection shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022.

523.256. GOOD FAITH NEGOTIATION REQUIRED, FINDINGS, REMEDIES. — Before a court may enter an order of condemnation, the court shall find that the condemning authority engaged in good faith negotiations prior to filing the condemnation petition. A condemning authority shall be deemed to have engaged in good faith negotiations if:

(1) It has properly and timely given all notices to owners required by this chapter;

(2) Its offer under section 523.253 was no lower than the amount reflected in an appraisal performed by a state-licensed or state-certified appraiser for the condemning authority, provided an appraisal is given to the owner pursuant to subsection 2 of section 523.253 or, in other cases, the offer is no lower than the amount provided in the basis for its determination of the value of the property as provided to the owner under subsection 2 of section 523.253;

(3) For condemnation of any agricultural or horticultural property for the construction of an electrical transmission line designed to transmit electricity at three hundred forty-five kilovolts or greater, but not for condemnation of such property by an electrical corporation operating under a cooperative business plan as described in section 393.110, for the purposes of constructing electric plant subject to a certificate of convenience and necessity under subsection 1 of section 393.170, the total compensation package offered was no lower than the amount reflected in an appraisal performed by a

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state-licensed or state-certified appraiser for the condemning authority multiplied by one hundred fifty percent. The provisions of this subdivision shall not apply to applications filed pursuant to section 393.170 prior to August 28, 2022;

(4) The owner has been given an opportunity to obtain his or her own appraisal from a state-licensed or state-certified appraiser of his or her choice; and

~~[(4)]~~ (5) Where applicable, it has considered an alternate location suggested by the owner under section 523.265.

If the court does not find that good faith negotiations have occurred, the court shall dismiss the condemnation petition, without prejudice, and shall order the condemning authority to reimburse the owner for his or her actual reasonable attorneys' fees and costs incurred with respect to the condemnation proceeding which has been dismissed.

610.021. CLOSED MEETINGS AND CLOSED RECORDS AUTHORIZED WHEN, EXCEPTIONS. —

Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian

of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in

furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business; and

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; and

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account.

620.2450. PROGRAM ESTABLISHED, EXPANDED ACCESS TO BROADBAND INTERNET SERVICE — DEFINITIONS. — 1. A grant program is hereby established under sections 620.2450 to 620.2458 to award grants to applicants who seek to expand access to and improve the reliability of broadband internet service in unserved and underserved areas of the state. The department of economic development shall administer and act as the fiscal agent for the grant program and shall be responsible for receiving and reviewing grant applications and awarding grants under sections 620.2450 to 620.2458. Funding for the grant program established under this section shall be subject to appropriation by the general assembly.

2. As used in sections 620.2450 to 620.2458, the following terms shall mean:

(1) "Project", the acquisition and installation of retail broadband internet service in unserved and underserved areas of the state;

(2) "Underserved area", a project area without access to wireline or fixed wireless broadband internet service of speeds of at least [twenty-five] one hundred megabits per-second download and [three] twenty megabits per-second upload;

[(2)] (3) "Unserved area", a project area without access to wireline or fixed wireless broadband internet service of speeds of at least [ten] twenty-five megabits per-second download and [one megabit] three megabits per-second upload.

620.2451. GRANTS, USE OF MONEYS — RECORDKEEPING REQUIREMENTS. — 1. Grants awarded under sections 620.2450 to 620.2458 shall fund the acquisition and installation of retail broadband internet service [at], prioritizing projects providing speeds of at least [twenty-five] the higher of:

(1) One hundred megabits per-second download and [three] one hundred megabits per-second upload[, but] that is scalable to higher speeds; or

(2) The minimum acceptable speed established by the Federal Communications Commission as authorized in 7 U.S.C. 950bb(e)(1) to (2). Any provider that is incapable of meeting the speed requirement under this subdivision shall be allowed to continue deploying broadband infrastructure at current speeds, provided that each provider quarterly updates the office of broadband development regarding the provider's maximum speed.

2. The department shall maintain a record of all federal grants awarded to entities for the purposes of providing, maintaining, and expanding rural broadband in the state of Missouri. In cases in which funds have been awarded by a federal agency but later retained, withheld, or otherwise not distributed to the original grant recipient due to failure to meet performance standards or other criteria, the department shall seek to have the funds awarded to another eligible, qualified Missouri broadband provider.

3. The funds awarded by the department to an entity for the purposes of providing, maintaining, and expanding rural broadband in the state of Missouri shall require the entity to use the funds specifically for purposes set forth in the grant. If the entity uses the proceeds or funds for any other purposes or fails to comply with any requirement established by the department through the grant or funds awarded pursuant thereto, the entity shall return any remaining proceeds expended or the value of any incentives or services received by the entity to which a monetary value can be assigned, to be repaid to the department as required by the terms of the grant or contract.

620.2453. APPLICATION, CONTENTS. — An eligible applicant shall submit an application to the department of economic development on a form prescribed by the department. An application for a grant under sections 620.2450 to 620.2458 shall include the following information:

- (1) A description of the project area;
- (2) A description of the kind and amount of broadband internet infrastructure that is proposed to be deployed;
- (3) Evidence demonstrating the unserved or underserved nature of the project area;
- (4) The number of households that would have new access to broadband internet service, or whose broadband internet service would be upgraded, as a result of the grant;
- (5) A list of significant community institutions that would benefit from the proposed grant;
- (6) The total cost of the proposal and the [timeframe] time frame in which it will be completed;
- (7) A list identifying sources of funding or in-kind contributions, including government funding, that would supplement any awarded grant; [and]
- (8) A map or list of addresses showing the highest broadband speeds available within the applicant's area of service in the same manner in which the applicant is specified to provide data to the Federal Communications Commission under the Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. Section 641 et seq. Such map or list of addresses shall be utilized by the department of economic development to determine the speeds available to individual addresses and eligibility for grant funding. Any map made publicly available as a result of maps provided by broadband providers under this subdivision shall be aggregated and anonymized to show the highest broadband speeds available; and
- (9) Any other information required by the department of economic development.

620.2465. PROGRAM TO INCREASE HIGH-SPEED INTERNET ACCESS — RULES. — 1. The department shall implement a program to increase high-speed internet access in unserved and underserved areas. The department may use its discretion in choosing the method of the program, but the program shall provide high-speed internet access to as many residents who do not have high-speed internet access as quickly as practicable, with preference given to residents who have no internet access.

2. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

620.2468. SITE INSPECTION. — The state office of broadband development within the department of economic development shall have the authority to engage in site inspections of broadband providers that have received grants or loans for projects from the state office of broadband development. The authority to inspect shall last until the project is complete and operational.

SECTION B. EFFECTIVE DATE. — The repeal and reenactment of section 442.404 of this act shall be effective on January 1, 2023.

Approved June 29, 2022

HCS SCS SB 886

Enacts provisions relating to trusts.

AN ACT to repeal sections 214.160, 456.4-419, 456.5-504, and 456.5-505, RSMo, and to enact in lieu thereof six new sections relating to trusts.

SECTION

- A Enacting clause.
- 214.160 Investment or lending of trust funds — investment manager, duties — definitions.
- 456.026 Rule against perpetuities, trust subject to, when.
- 456.1-114 Familial relationships.
- 456.4-419 Distributions of income and principal of first trusts and second trusts, discretionary power of trustee — notice requirements.
- 456.5-504 Discretionary trusts, interest not enforceable, when — applicability — effect of standard.
- 456.5-505 Creditor's claim against settlor.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 214.160, 456.4-419, 456.5-504, and 456.5-505, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 214.160, 456.026, 456.1-114, 456.4-419, 456.5-504, and 456.5-505, to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

214.160. INVESTMENT OR LENDING OF TRUST FUNDS — INVESTMENT MANAGER, DUTIES — DEFINITIONS. — 1. Under sections 214.140 to 214.180, and as otherwise not prohibited under Article VI, Section 23 of the Constitution of Missouri, the county commission may invest or loan said trust fund or funds in United States government, state, county or municipal bonds, certificates of deposit, first real estate mortgages, or deeds of trust and may utilize investment managers to invest, reinvest, and manage assets, subject to the terms, conditions, and limitations provided in this section and Article IV, Section 15 of the Constitution of Missouri. ~~[They]~~ When sufficient, the commission shall use the net income from said trust fund or funds or such investments or so much thereof as is necessary to support and maintain and beautify any public or private cemetery or any particular part thereof which may be designated by the person, persons or firm or association making said gift or bequest. If the net income from said trust fund or funds is not sufficient to support and maintain and beautify a cemetery, the commission may only use as much of the principal thereof as the commission deems necessary for the purpose of the basic maintenance to control the growth of grass and weeds. In maintaining or supporting the cemetery or any particular part or portion thereof the commission shall as nearly as possible follow the expressed wishes of the creator of said trust fund.

2. An investment manager shall discharge his or her duties in the interest of the public or private cemetery and the interest of the person, persons, or firm making the gift or bequest and shall:

(1) Act with the same care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a similar capacity and familiar with those matters would use in the conduct of a similar enterprise with similar aims;

(2) Act with due regard for the management, reputation, and stability of the issuer and the character of the particular investments being considered;

(3) Make investments for the purpose of supporting, maintaining, and beautifying any public or private cemetery or any particular part thereof, which may be designated by the person, persons, or firm or association making said gift or bequest, and of defraying reasonable expenses of investing the assets;

(4) Give appropriate consideration to those facts and circumstances that the investment fiduciary knows or should know are relevant to the particular investment or investment course of action involved, including the role the investment or investment course of action plays in that portion of the investments for which the investment fiduciary has responsibility. For purposes of this subdivision, "appropriate consideration" shall include, but is not limited to, a determination by the investment fiduciary that a particular investment or investment course of action is reasonably designed to further the purposes of supporting, maintaining, and beautifying any public or private cemetery or any particular part thereof, which may be designated by the person, persons, or firm or association making said gift or bequest, while considering the risk of loss and the opportunity for gain or other return associated with the investment or investment course of action and considering the following factors as they relate to the investment or investment course of action:

(a) The diversification of the investments;

(b) The liquidity and current return of the investments relative to the anticipated cash flow requirements; and

(c) The projected return of the investments relative to the funding objectives; and

(5) Give appropriate consideration to investments that would enhance the general welfare of this state and its citizens if those investments offer the safety and rate of return comparable to other investments available to the investment fiduciary at the time the investment decision is made.

3. As used in this section, "invest" or "investment" means utilization of moneys in the expectation of future returns in the form of income or capital gain.

456.026. RULE AGAINST PERPETUITIES, TRUST SUBJECT TO, WHEN. — For purposes of determining whether a trust that is subject to the rule against perpetuities violates said rule, if there is

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only one beneficiary of the trust who is entitled or eligible to receive distributions of income or principal from the trust, such beneficiary holds a general power of appointment over the trust, and no other person has a power to appoint any part of the trust to anyone other than the beneficiary, then the beneficiary has a vested interest in the trust, regardless of whether such general power is presently exercisable or is exercisable only at the powerholder's death.

456.1-114. FAMILIAL RELATIONSHIPS. — 1. For purposes of interpreting a term of familial relationship in a trust, "descendants", "issue", "children", and similar terms of relationship shall be construed as follows:

(1) A child conceived or born of a marriage is presumed to be a child of the persons so married unless a judicial proceeding is commenced before the death of the presumed parent and it is finally determined in such proceeding that the presumed parent is not the parent of the child;

(2) A child who is not conceived or born of a marriage is presumed to not be a child of a person who did not give birth to the child unless:

(a) A judicial proceeding commenced before the death of such person determined that such person is a parent of the child; or

(b) Such person openly recognized the child as his or her child and such person has not refused to voluntarily support the child. A trustee may rely on its discretion regarding the sufficiency of recognition or support, and the trustee shall not be liable to any person for its exercise of this discretion unless the trustee acts in bad faith or with reckless indifference to the purposes of the trust or the interests of the beneficiaries; and

(3) A child adopted prior to the age of eighteen is the child of an adopting parent and not of the natural parents, except that adoption of a child by the spouse of a natural parent has no effect on the relationship between the child and such natural parent.

2. If a parent-child relationship is established pursuant to this section, the rights afforded to the child shall not be retroactive, but instead shall apply from the time the relationship is established.

3. The terms of a trust shall prevail over any provision of this section.

456.4-419. DISTRIBUTIONS OF INCOME AND PRINCIPAL OF FIRST TRUSTS AND SECOND TRUSTS, DISCRETIONARY POWER OF TRUSTEE — NOTICE REQUIREMENTS. — 1. Unless the terms of the trust instrument expressly provide otherwise, a trustee, other than a settlor, who has discretionary power under the terms of a trust to make a distribution of income or principal, whether or not limited by an ascertainable standard, to or for the benefit of one or more beneficiaries of a trust, the first trust, may instead exercise such discretionary power by [appointing] distributing all or part of the income or principal subject to such discretionary power in favor of a trustee of a second trust, the second trust, created under either the same or different trust instrument in the event that the trustee of the first trust decides that the [appointment] distribution is necessary or desirable after taking into account the terms and purposes of the first trust, the terms and purposes of the second trust, and the consequences of the distribution. A trustee may exercise the power described in this subsection by distributing property from the first trust to one or more second trusts or by modifying the trust instrument for the first trust which, as modified, becomes one or more second trusts.

2. With respect to a second trust to which a distribution is made pursuant to subsection 1 of this section:

(1) At least one permissible distributee of the first trust shall be a permissible distributee of the second trust immediately after the distribution;

(2) If, at the time of the distribution, the settlor of the first trust is living and the first trust is not a grantor trust under Subpart E of Part I of Subchapter J of Chapter 1 of the Internal Revenue Code of 1986, as amended, there may not be any permissible distributee of the second trust immediately after the distribution who is not a permissible distributee of the first trust;

(3) If, at the time of the distribution, the settlor of the first trust is deceased or if, at the time of the distribution, the first trust is a grantor trust under Subpart E of Part I of Subchapter J of Chapter 1 of the Internal Revenue Code of 1986, as amended, for reasons other than the trustee having the power granted by this section, any beneficiary of the first trust may be included as a permissible distributee of the second trust immediately after the distribution;

(4) The second trust may not include any beneficiary who is not a beneficiary of the first trust; and

(5) The trust instrument for the second trust may retain, modify, or omit a power of appointment granted in the first trust, and the trust instrument for the second trust may create a power of appointment if the powerholder is a beneficiary of the second trust. Except to the extent provided otherwise in subsection 4 of this section, a power of appointment in the trust instrument for the second trust may be a general or nongeneral power of appointment and the permissible appointees of the power need not be limited to the beneficiaries of the first trust.

3. The following provisions apply to a trust that has a beneficiary with a disability:

(1) As used in this subsection, the following terms mean:

(a) "Beneficiary with a disability", a beneficiary of a first trust who the special-needs fiduciary believes may qualify for governmental benefits based on disability, whether or not the beneficiary currently receives those benefits or is an individual who has been adjudicated disabled or adjudicated incapacitated;

(b) "Governmental benefits", financial aid or services from a state, federal, or other public agency;

(c) "Special-needs fiduciary", with respect to a trust that has a beneficiary with a disability:

a. A trustee or other fiduciary, other than a settlor, who has discretionary power under the terms of a trust to make a distribution of income or principal, whether or not limited by an ascertainable standard, to or for the benefit of one or more beneficiaries; or

b. If no trustee or fiduciary has discretion under subparagraph a. of this paragraph, a trustee or other fiduciary, other than a settlor, who is required to distribute part or all of the income or principal of the first trust to or for the benefit of one or more beneficiaries;

(d) "Special-needs trust", a trust the trustee believes would not be considered a resource for purposes of determining whether a beneficiary with a disability is eligible for governmental benefits;

(2) A special-needs fiduciary may exercise the authority granted by subsection 1 of this section if:

(a) A second trust is a special-needs trust that benefits the beneficiary with a disability; and

(b) The special-needs fiduciary determines that exercise of the authority pursuant to subsection 1 of this section will further the purposes of the first trust; and

(3) The following provisions apply to any exercise of the authority granted by this subsection:

(a) Notwithstanding the provisions of subdivision (4) of subsection 2 of this section to the contrary, the terms of the second trust may:

a. Provide that an interest is held by a pooled trust as defined by Medicaid law for the benefit of the beneficiary with a disability under 42 U.S.C. Section 1396p(d)(4)(C); or

b. Contain payback provisions complying with reimbursement requirements of Medicaid law under 42 U.S.C. Section 1396p(d)(4)(A);

(b) The provisions of subdivision (3) of subsection 4 of this section shall not apply to the interests of the beneficiary with a disability; and

(c) Except as affected by any change to the interests of the beneficiary with a disability, the second trust, or if there are two or more second trusts, the second trusts in the aggregate, shall grant each other beneficiary of the first trust beneficial interests in the second trusts which are substantially similar to the beneficiary's beneficial interests in the first trust, unless such other beneficiary's interest is modified in accordance with the provisions of this section other than this subsection.

4. The following provisions apply to any exercise of the authority granted by subsection 1 of this section:

(1) [The second trust may have as beneficiaries only one or more of those beneficiaries of the first trust to or for whom any discretionary distribution may be made from the first trust and who are proper objects of the exercise of the power, or one or more of those other beneficiaries of the first trust to or for whom a distribution of income or principal may have been made in the future from the first trust at a time or upon the happening of an event specified under the first trust;

(2) Unless the exercise of such power is limited by an ascertainable standard, no trustee of the first trust may exercise such authority to make a distribution from the first trust if:

(a) Such trustee is a beneficiary of the first trust; or

(b) Any beneficiary may remove and replace the trustee of the first trust with a related or subordinate party to such beneficiary within the meaning of Section 672(c) of the Internal Revenue Code;

(3) Except if participating in a change that is needed for a distribution to any such beneficiary under an ascertainable standard, no trustee shall exercise such authority to the extent that doing so would have the effect either of:

(a) Increasing the distributions that can be made in the future from the second trust to the trustee of the first trust or to a beneficiary who can remove and replace the trustee of the first trust with a related or subordinate party to such beneficiary within the meaning of Section 672(c) of the Internal Revenue Code; or

(b) Removing restrictions on discretionary distributions imposed by the instrument under which the first trust was created;

(4) In the case of any trust contributions which have been treated as gifts qualifying for the exclusion from gift tax described in Section 2503(b) of the Internal Revenue Code, by reason of the application of Section 2503(c), the governing instrument for the second trust shall provide that the beneficiary's remainder interest shall vest no later than the date upon which such interest would have vested under the terms of the governing instrument for the first trust;

(5) The exercise of such authority may not reduce any income interest of any income beneficiary of any of the following trusts:

(a) A trust for which a marital deduction has been taken for federal tax purposes under Section 2056 or 2523 of the Internal Revenue Code or for state tax purposes under any comparable provision of applicable state law;

(b) A charitable remainder trust under Section 664 of the Internal Revenue Code;

(c) A grantor retained annuity trust under Section 2702 of the Internal Revenue Code; or

(d) A trust which has been qualified as a Subchapter S trust under Section 1361(d) of the Internal Revenue Code or an electing small business trust under Section 1361(e) of the Internal Revenue Code] If the exercise of the authority granted by subsection 1 of this section is limited by an ascertainable standard and the trustee exercising such authority is a permissible distributee of the first trust under such standard, then:

(a) The discretionary power under the trust instrument for the second trust to distribute income or principal to such trustee as a permissible distributee shall be subject to the same ascertainable standard as, or a more restrictive ascertainable standard than, such standard in the trust instrument for the first trust; and

(b) The trust instrument for the second trust shall not:

a. Modify a power of appointment granted to such trustee in the first trust; or

b. Grant a power of appointment to such trustee that did not exist in the first trust;

(2) An exercise of the authority granted by subsection 1 of this section is subject to the following limitations:

(a) If the first trust contains property that qualified, or would have qualified but for provisions of this section other than this subdivision, for a marital deduction for purposes of the gift or estate tax under the Internal Revenue Code of 1986, as amended, the trust instrument for the second trust shall not

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Matter underscored is proposed language.

include or omit any term that, if included in or omitted from the trust instrument for the second trust, would have prevented the transfer from qualifying for the deduction, or would have reduced the amount of the deduction, under the same provisions of the Internal Revenue Code under which the transfer qualified;

(b) If the first trust contains property that qualified, or would have qualified but for provisions of this section other than this subdivision, for a charitable deduction for purposes of the income, gift, or estate tax under the Internal Revenue Code of 1986, as amended, the trust instrument for the second trust shall not include or omit any term that, if included in or omitted from the trust instrument for the second trust, would have prevented the transfer from qualifying for the deduction, or would have reduced the amount of the deduction, under the same provisions of the Internal Revenue Code under which the transfer qualified;

(c) If the first trust contains property that qualified, or would have qualified but for provisions of this section other than this subdivision, for the exclusion from the gift tax described in Section 2503(b) of the Internal Revenue Code of 1986, as amended, the trust instrument for the second trust shall not include or omit a term that, if included in or omitted from the trust instrument for the second trust, would have prevented the transfer from qualifying under Section 2503(b) of the Internal Revenue Code. If the first trust contains property that qualified, or would have qualified but for provisions of this section other than this subdivision, for the exclusion from the gift tax described in Section 2503(b) of the Internal Revenue Code, by application of Section 2503(c) of the Internal Revenue Code, the trust instrument for the second trust shall not include or omit a term that, if included or omitted from the trust instrument for the second trust, would have prevented the transfer from meeting the requirements of Section 2503(c) of the Internal Revenue Code;

(d) If the property of the first trust includes shares of stock in an S corporation, as defined in Section 1361 of the Internal Revenue Code of 1986, as amended, and the first trust is, or but for provisions of this section other than this subdivision would be, a permitted shareholder under any provision of Section 1361 of the Internal Revenue Code, the trustee of the first trust may exercise such authority with respect to part or all of the S corporation stock only if the second trust receiving the stock is a permitted shareholder under Section 1361(c)(2) of the Internal Revenue Code. If the property of the first trust includes shares of stock in an S corporation and the first trust is, or but for provisions of this section other than this subdivision would be, a qualified subchapter-S trust within the meaning of Section 1361(d) of the Internal Revenue Code, the trust instrument for the second trust shall not include or omit a term that prevents the second trust from qualifying as a qualified subchapter-S trust; and

(e) If the first trust contains property that qualified, or would have qualified but for provisions of this section other than this subdivision, for a zero inclusion ratio for purpose of the generation-skipping transfer tax under Section 2642(c) of the Internal Revenue Code of 1986, as amended, the trust instrument for the second trust shall not include or omit a term that, if included in or omitted from the first trust, would have prevented the transfer to the first trust from qualifying for a zero inclusion ratio under Section 2642(c) of the Internal Revenue Code;

[(6)] (3) The exercise of such authority does not apply to trust property subject to a presently exercisable power of withdrawal held by a trust beneficiary to whom, or for the benefit of whom, the trustee has authority to make distributions, unless after the exercise of such authority, such beneficiary's power of withdrawal is unchanged with respect to the trust property; and

[(7)] (4) A spendthrift clause or a provision in the trust instrument that prohibits amendment or revocation of the trust shall not preclude the trustee from exercising the authority granted by subsection 1 of this section.

[3.] 5. At least sixty days prior to making a discretionary distribution under subsection 1 of this section, the trustee of the first trust shall notify the permissible distributees of the first trust and the permissible distributees of the second trust[, or the qualified beneficiaries of the second trust if there are no permissible distributees of the second trust,] of the distribution. A beneficiary may waive the right

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Matter underscored is proposed language.

to the notice required by this subsection and, with respect to future distributions, may withdraw a waiver previously given.

[4.] 6. In exercising the authority granted by subsection 1 of this section, the trustee shall remain subject to all fiduciary duties otherwise imposed under the trust instrument and Missouri law.

[5.] 7. This section does not impose on a trustee a duty to exercise the authority granted by subsection 1 of this section in favor of another trust or to consider exercising such authority in favor of another trust.

8. A second trust may have a duration that is the same as or different from the duration of the first trust. However, to the extent that property of the second trust is attributable to property of the first trust, the property of the second trust is subject to any rules governing maximum perpetuity, accumulation, or suspension of the power of alienation which apply to property of the first trust. The provisions of this subsection shall not preclude the creation of a general power of appointment in the trust instrument for a second trust as authorized by subdivision (5) of subsection 2 of this section.

9. In the event the trust instrument for the second trust in part does not comply with this section but would otherwise be effective under this section, the exercise of the power is effective and the following rules apply with respect to the principal of the second trust attributable to the exercise of the power:

(1) A provision in the trust instrument for the second trust which is not permitted under this section is void to the extent necessary to comply with this section; and

(2) A provision required by this section to be in the trust instrument for the second trust which is not contained in the trust instrument is deemed to be included in the trust instrument to the extent necessary to comply with this section.

[6.] 10. This section is intended to codify and, from and after enactment, to provide certain limitations to the common law of this state, and this section applies to any trust governed by the laws of this state, including a trust whose principal place of administration is transferred to this state before or after the enactment of this section.

456.5-504. DISCRETIONARY TRUSTS, INTEREST NOT ENFORCEABLE, WHEN — APPLICABILITY — EFFECT OF STANDARD. — 1. A beneficiary's interest in a trust that is subject to the trustee's discretion does not constitute an interest in property or an enforceable right even if the discretion is expressed in the form of a standard of distribution or the beneficiary is then serving as a trustee or cotrustee. A creditor or other claimant may not attach present or future distributions from such an interest or right, obtain an order from a court forcing the judicial sale of the interest or compelling the trustee to make distributions, or reach the interest or right by any other means, even if the trustee has abused the trustee's discretion.

2. This section does not limit the right of a beneficiary to maintain a judicial proceeding against a trustee for an abuse of discretion or failure to comply with a standard for distribution.

3. This section applies whether or not an interest is subject to a spendthrift provision.

4. For purposes of this section, a beneficiary's interest in a trust is subject to the trustee's discretion if that interest does not constitute a mandatory distribution as defined in subsection 1 of section 456.5-506.

5. Whether or not a trust contains a spendthrift provision, no creditor or other person making a claim against a beneficiary shall be entitled to any information relating to the trust's assets or other trust records if distributions to the beneficiary are solely within the discretion of the trustee. The provisions of this subsection shall apply during the term of the trust, regardless of whether the beneficiary is also a potential remainder beneficiary of the trust.

456.5-505. CREDITOR'S CLAIM AGAINST SETTLOR. — 1. Whether or not the terms of a trust contain a spendthrift provision, during the lifetime of the settlor, the property of a revocable trust is subject to claims of the settlor's creditors.

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Matter underscored is proposed language.

2. With respect to an irrevocable trust without a spendthrift provision, a creditor or assignee of the settlor may reach the maximum amount that can be distributed to or for the settlor's benefit. If a trust has more than one settlor, the amount the creditor or assignee of a particular settlor may reach may not exceed the settlor's interest in the portion of the trust attributable to that settlor's contribution.

3. With respect to an irrevocable trust with a spendthrift provision, a spendthrift provision will prevent the settlor's creditors from satisfying claims from the trust assets except:

(1) Where the conveyance of assets to the trust was fraudulent as to creditors pursuant to the provisions of chapter 428; or

(2) To the extent of the settlor's beneficial interest in the trust assets, if at the time the trust became irrevocable:

(a) The settlor was the sole beneficiary of either the income or principal of the trust or retained the power to amend the trust; or

(b) The settlor was one of a class of beneficiaries and retained a right to receive a specific portion of the income or principal of the trust that was determinable solely from the provisions of the trust instrument.

4. In the event that a trust meets the requirements set forth in subsection 3 of this section, a settlor's creditors may not reach the settlor's beneficial interest in that trust, regardless of:

(1) Any testamentary power of appointment [retained by the settlor] that is exercisable by the settlor, by a will or other written instrument, in favor of any appointees other than the settlor, the settlor's estate, the settlor's creditors, or the creditors of the settlor's estate; or

(2) The settlor's power to veto distributions from the trust.

5. Any trustee who has a duty or power to pay the debts of a deceased settlor may publish a notice in a newspaper published in the county designated in subdivision (3) of this subsection once a week for four consecutive weeks in substantially the following form:

To all persons interested in the estate of _____, decedent. The undersigned _____ is acting as Trustee under a trust the terms of which provide that the debts of the decedent may be paid by the Trustee(s) upon receipt of proper proof thereof. The address of the Trustee is _____.

All creditors of the decedent are noticed to present their claims to the undersigned within six (6) months from the date of the first publication of this notice or be forever barred.

_____ Trustee

(1) If such publication is duly made by the trustee, any debts not presented to the trustee within six months from the date of the first publication of the preceding notice shall be forever barred as against the trustee and the trust property.

(2) A trustee shall not be liable to account to the decedent's personal representative under the provisions of section 461.300 by reason of any debt barred under the provisions of this subsection.

(3) Such publication shall be in a newspaper published in:

(a) The county in which the domicile of the settlor at the time of his or her death is situated;

(b) If the settlor had no domicile in this state at the time of his or her death, any county wherein trust assets are located; except that, when the major part of the trust assets in this state consist of real estate, the notice shall be published in the county in which the real estate or the major part thereof is located; or

(c) If the settlor had no domicile in this state at the time of his or her death and no trust assets are located therein, the county wherein the principal place of administration of the trust is located.

(4) For purposes of this subsection, the term "domicile" means the place in which the settlor voluntarily fixed his or her abode, not for a mere special or temporary purpose, but with a present intention of remaining there permanently or for an indefinite term.

6. For purposes of this section:

(1) During the period the power may be exercised, the holder of a power of withdrawal is treated in the same manner as the settlor of a revocable trust to the extent of the property subject to the power; and

(2) Upon the lapse, release, or waiver of the power, the holder is treated as the settlor of the trust only to the extent the value of the property affected by the lapse, release, or waiver exceeds the greater of the amount specified in Sections 2041(b)(2), 2514(e) or 2503(b) of the Internal Revenue Code.

7. For all purposes of section 456.5-501 to 456.5-508, the settlor of any of the following trusts, known as the "first trust" in this subsection, shall not be treated as the settlor of any other trust, known as the "second trust" in this subsection, that is created pursuant to the exercise of a power of appointment over the first trust if the settlor is a beneficiary of the second trust:

(1) An irrevocable inter vivos trust for the benefit of the settlor's spouse that qualifies for the marital deduction from the federal gift tax under Section 2523(e) of the Internal Revenue Code;

(2) An irrevocable inter vivos trust for the benefit of the settlor's spouse that qualifies for the marital deduction from the federal gift tax under Section 2523(f) of the Internal Revenue Code;

(3) An irrevocable inter vivos trust for the benefit of the settlor's spouse, or the settlor's spouse and other beneficiaries, where the settlor's spouse is the beneficiary who exercises the power of appointment to create the second trust; and

(4) An irrevocable inter vivos trust where any beneficiary exercises a general power of appointment to create the second trust.

8. This section shall not apply to a spendthrift trust described, defined, or established in section 456.014.

Approved June 30, 2022

SB 987

Enacts provisions relating to excursion gambling boat facilities.

AN ACT to repeal sections 313.800 and 313.805, RSMo, and to enact in lieu thereof two new sections relating to excursion gambling boat facilities.

SECTION

A Enacting clause.

313.800 Definitions — additional games of skill, commission approval, procedures.

313.805 Powers of commission.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION A. ENACTING CLAUSE. — Sections 313.800 and 313.805, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 313.800 and 313.805, to read as follows:

313.800. DEFINITIONS — ADDITIONAL GAMES OF SKILL, COMMISSION APPROVAL, PROCEDURES. — 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

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Matter underscored is proposed language.

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person's banking account in an amount determined under section 313.817 on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(9) "Excursion gambling boat", a boat, ferry, other floating facility, or any nonfloating facility licensed by the commission on or inside of which gambling games are allowed;

(10) "Fiscal year", the fiscal year of a home dock city or county;

(11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

(12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

(13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

(14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by the player's reason, foresight, dexterity, sagacity, design, information or strategy;

(15) "Games of skill", any gambling game in which there is an opportunity for the player to use the player's reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker",

"blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

(16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

(17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

(18) "Licensee", any person licensed under sections 313.800 to 313.850;

(19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled wholly or partially by the water of those rivers in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(20) "Nonfloating facility", any structure within one thousand feet from the closest edge of the main channel of the Missouri or Mississippi River, as established by the United States Army Corps of Engineers, that contains at least two thousand gallons of water beneath or inside the facility either by an enclosed space containing such water or in rigid or semirigid storage containers, tanks, or structures;

(21) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. (1) In addition to the games of skill defined in this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing the petitioner's case by a preponderance of evidence including:

(a) Is it in the best interest of gaming to allow the game; and

(b) Is the gambling game a game of chance or a game of skill?

(2) All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.805. POWERS OF COMMISSION. — The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

(1) To investigate applicants and determine the priority and eligibility of applicants for a license and to select among competing applicants for a license the applicant which best serves the interests of the citizens of Missouri;

(2) To license the operators of excursion gambling boats and operators of gambling games within such boats, to identify occupations within the excursion gambling boat operations which require licensing, and adopt standards for licensing the occupations including establishing fees for the occupational licenses and to license suppliers;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter underscored is proposed language.

(3) To adopt standards under which all excursion gambling boat operations shall be held and standards for the facilities within which the gambling operations are to be held. Notwithstanding the provisions of chapter 311 to the contrary, the commission may authorize the operation of gambling games on an excursion gambling boat which is also licensed to sell or serve alcoholic beverages, wine, or beer. The commission shall regulate the wagering structure for gambling excursions, provided that the commission shall not establish any regulations or policies that limit the amount of wagers, losses, or buy-in amounts;

(4) To enter the premises of excursion gambling boats, facilities, or other places of business of a licensee within this state to determine compliance with sections 313.800 to 313.850;

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

(7) To require a licensee, an employee of a licensee or holder of an occupational license to remove a person violating a provision of sections 313.800 to 313.850 or the commission rules, orders, or final orders, or other person deemed to be undesirable from the excursion gambling boat or adjacent facilities;

(8) To require the removal from the premises of a licensee, an employee of a licensee, or a holder of an occupational license for a violation of sections 313.800 to 313.850 or a commission rule or engaging in a fraudulent practice;

(9) To require all licensees to file all financial reports required by rules and regulations of the commission;

(10) To issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other pertinent documents, and to administer oaths and affirmations to the witnesses, when, in the judgment of the commission, it is necessary to enforce sections 313.800 to 313.850 or the commission rules;

(11) To keep accurate and complete records of its proceedings and to certify the records as may be appropriate;

(12) To ensure that the gambling games are conducted fairly. No gambling device shall be set to pay out less than eighty percent of all wagers;

(13) To require all licensees of gambling game operations to use a cashless wagering system whereby all players' money is converted to physical or electronic tokens, electronic cards, or chips which only can be used on the excursion gambling boat;

(14) To require excursion gambling boat licensees to develop a system, approved by the commission, that allows patrons the option to prohibit the excursion gambling boat licensee from using identifying information for marketing purposes. The provisions of this subdivision shall apply only to patrons giving identifying information for the first time. Such system shall be submitted to the commission by October 1, 2000, and approved by the commission by January 1, 2001. The excursion gambling boat licensee shall use identifying information obtained from patrons who have elected to have marketing blocked under the provisions of this section only for the purposes of enforcing the requirements contained in sections 313.800 to 313.850. This section shall not prohibit the commission from accessing identifying information for the purposes of enforcing section 313.004 and sections 313.800 to 313.850;

(15) To determine which of the authorized gambling games will be permitted on any licensed excursion gambling boat;

(16) The commission shall base its decision to license excursion gambling boats on any of the following criteria: the docking location or the excursion cruise could cause danger to the boat's passengers, violate federal law or the law of another state, or cause disruption of interstate commerce or possible interference with railway or barge transportation. The commission shall consider economic feasibility or impact that would benefit land-based development and permanent job creation. The commission shall not discriminate among applicants for excursion gambling boats that are similarly situated with respect to the criteria set forth in this section;

(17) The commission shall render a finding or findings concerning the transition from a boat, barge, or floating facility to a nonfloating facility within thirty days after a hearing on any request from an applicant or existing licensee. Such hearing may be held prior to any final action on licensing to assist an applicant and any city or county in the finalizing of their economic development plan;

(18) To require any applicant for a license or renewal of a license to operate an excursion gambling boat to provide an affirmative action plan which has as its goal the use of best efforts to achieve maximum employment of African-Americans and other minorities and maximum participation in the procurement of contractual purchases of goods and services. This provision shall be administered in accordance with all federal and state employment laws, including Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991. At license renewal, the licensee will report on the effectiveness of the plan. The commission shall include the licensee's reported information in its annual report to the joint committee on gaming and wagering;

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

Approved June 7, 2022

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SS HB 1667

Enacts provisions relating to kratom products, with a penalty provision.

AN ACT to amend chapter 196, RSMo, by adding one new section relating to kratom products, with penalty provision.

Vetoed July 1, 2022

CCS SS SCS HCS HB 1720

Modifies provisions relating to agricultural economic opportunities, with a penalty provision, and an emergency clause for certain sections.

AN ACT to repeal sections 60.301, 60.315, 60.345, 135.305, 135.686, 137.1018, 144.030, 266.355, 301.010, 301.062, 304.180, 304.240, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof twenty-seven new sections relating to agricultural economic opportunities, with a penalty provision, and an emergency clause for certain sections.

Vetoed July 1, 2022

SCS HB 2090

Modifies provisions relating to the payment of funds from the state treasury.

AN ACT to repeal sections 33.100, 36.020, 36.030, 36.050, 36.060, 36.070, 36.080, 36.090, 36.100, 36.120, 36.140, 36.250, 36.440, 36.510, 37.010, 105.950, 105.1114, 136.370, and 288.220, RSMo, and to enact in lieu thereof twenty new sections relating to the payment of funds from the state treasury.

Vetoed July 1, 2022

SS SCS SB 724

Modifies provisions relating to financial statements of political subdivisions, with penalty provisions.

AN ACT to repeal sections 50.800, 50.810, 50.815, 50.820, and 105.145, RSMo, and to enact in lieu thereof four new sections relating to financial statements of political subdivisions, with penalty provisions.

Vetoed July 1, 2022

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HCR 51

BE IT RESOLVED, by the House of Representatives of the One-Hundredth First General Assembly, Second Regular Session, of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:15 a.m., Tuesday, March 8, 2022, to receive a message from the Honorable Paul C. Wilson, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) members from the House of Representatives be appointed by the Speaker to act with a committee of ten (10) members from the Senate, appointed by the President Pro Tempore, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the One-Hundredth First General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

HCR 74

BE IT RESOLVED, by the House of Representatives of the One-Hundredth First General Assembly, Second Regular Session, of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 2:30 p.m., Wednesday, January 19, 2022, to receive a message from His Excellency, the Honorable Michael L. Parson, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) members from the House of Representatives be appointed by the Speaker to act with a committee of ten (10) members from the Senate, appointed by the President Pro Tempore, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and the Senate of the One-Hundredth First General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

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SCR 25

Applies to Congress for the calling of an Article V convention of the states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Whereas, Article V of the Constitution of the United States requires a convention to be called by the Congress of the United States for the purpose of proposing an amendment to the Constitution upon application of two-thirds of the Legislatures of the several states; and

Whereas, the Legislature of the State of Missouri favors a proposal and ratification of an amendment to the U.S. Constitution, which shall set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate; and

Whereas, the Ninety-ninth General Assembly of Missouri, Second Regular Session, adopted Senate Concurrent Resolution 40, which contained an application for an Article V Convention to propose an amendment identical to that proposed in this resolution, but provided that the application would expire five years after the passage of Senate Concurrent Resolution 40:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby make an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

Be It Further Resolved that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

Be It Further Resolved that this application hereby repeals, rescinds, cancels, renders null and void, and supercedes the application to the Congress of the United States for a convention under Article V of the Constitution of the United States by this state in Senate Concurrent Resolution No. 40 as adopted by the Ninety-ninth General Assembly, Second Regular Session; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the Senate of the United States and to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Approved May 10, 2022

SCR 28

Urges the President of the United States to designate a state funeral for the last surviving World War II Medal of Honor recipient.

Whereas, World War II, the most widespread war in history, lasted from 1939 until 1945; and

Whereas, the United States entered the war in 1941, following an attack on Pearl Harbor by Japanese fighter planes; and

Whereas, over sixteen million Americans served their country and the Allied powers over the course of the war; and

Whereas, the generation of men and women who served our country in World War II has been called the "greatest generation" for their selfless sacrifice; and

Whereas, the Medal of Honor is the highest military decoration that is awarded by the United States government; and

Whereas, the Medal of Honor is presented by the President of the United States, in the name of Congress; and

Whereas, the Medal of Honor is only conferred upon members of the United States Armed Forces who distinguish themselves through conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty while engaged in action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; and

Whereas, more than 3,400 Medals of Honor have been awarded to our nation's bravest soldiers, sailors, airmen, marines, and coast guardsmen since the creation of the award in 1861; and

Whereas, the Medal of Honor was awarded to 353 Americans during World War II; and

Whereas, only one of those 353 Americans is alive today; and

Whereas, Hershel Woodrow Williams of West Virginia served his country with conspicuous gallantry and intrepidity at the risk of life and therefore deserves the gratitude of the American people; and

Whereas, the President of the United States has the sole authority to designate a state funeral; and

Whereas, historically, the President of the United States has designated state funerals for former presidents, generals, and other extraordinary Americans; and

Whereas, our nation is currently divided and yearns for a unifying national event; and

Whereas, designating a state funeral when the last surviving World War II Medal of Honor recipient dies would be a wonderful way for the American people to unite and honor all sixteen million soldiers, sailors, and airmen who served in our Armed Forces from 1941 to 1945:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the President of the United States to designate a state funeral for the last surviving Medal of Honor recipient from World War II; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, and all members of the Missouri congressional delegation.

Approved May 3, 2022

SCR 31

Urges the President of the United States to designate a state funeral for the last surviving World War II Medal of Honor recipient.

Relating to approval of the Missouri Water Resources Plan.

Whereas, Missouri's thousands of miles of rivers, streams, and lakes, along with underground aquifers, supply our state's 6 million residents with critical water resources; and

Whereas, the water resources of the state of Missouri are essential to the well-being of its people, agriculture, industry, economy, and environment; and

Whereas, an understanding of the water resources of Missouri and planning for their development and use is essential to securing their benefits; and

Whereas, water planning is necessary to identify water supply needs, plan for future shortfalls in water supply, prepare for drought conditions, and properly implement strategies for resiliency; and

Whereas, the Department of Natural Resources has gathered input from citizens and stakeholders to help identify water resource priorities, coordinated with the Interagency Task Force advisory group, and convened five technical workgroups to guide development of the water plan content; and

Whereas, the Department of Natural Resources has completed an update of the Missouri Water Resources Plan according to Section 640.415 of the Revised Statutes of Missouri which requires the Department to develop, maintain, and periodically update the Missouri Water Resources Plan and submit the Plan to the General Assembly for approval:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby approve the Missouri Water Resources Plan and its implementation; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Director of the Department of Natural Resources.

Approved May 5, 2022

SCR 34

Urges the U.S. Congress to include the Newtonia Battlefields in the National Park Service.

Whereas, the Newtonia Battlefields, located in the village of Newtonia, in Newton County, Missouri, was the site of two Civil War battles; and

Whereas, the First Battle of Newtonia, occurring on September 30, 1862, was the first battle in which organized Union and Confederate regiments of American Indian soldiers were directed to fight against each other; and

Whereas, the Second Battle of Newtonia, occurring on October 28, 1864, was the final battle and defeat of Confederate General Sterling Price's Missouri Expedition of 1864; and

Whereas, the Second Battle of Newtonia was the final battle of the Civil War in the highly contested state of Missouri and ensured that the state of Missouri remained under Union control; and

Whereas, the historical importance of the Newtonia Battlefields is exemplified by its designation on the National Register of Historic Places; and

Whereas, it has been a priority of the local community to maintain a high level of integrity of the site of the Newtonia Battlefields; and

Whereas, the inclusion of the Newtonia Battlefields as a part of the National Park Service will continue the preservation of the site; and

Whereas, the history of the Newtonia Battlefields is important to gaining a better understanding of the deadliest war in United States history; and

Whereas, the expansion of the neighboring Wilson's Creek National Battlefield to include the Newtonia Battlefields will protect and enhance opportunities for the public to learn about the historical significance of Missouri and its citizens during the Civil War; and

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby call on the United States Congress to enact legislation allowing the United States Department of Interior to increase the size of Wilson's Creek National Battlefields to include the land containing the site of the Newtonia Battlefields in order to preserve the history of the Civil War; and

Be It Further Resolved that the members of the Missouri General Assembly, hereby call on all members of the Missouri Congressional delegation to lend their influence to the enactment of legislation allowing for the addition of the Newtonia Battlefields to the National Park System; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Approved May 13, 2022

**ADOPTED INITIATIVE PETITION TO THE
CONSTITUTION OF MISSOURI
NOVEMBER 8, 2022**

CONSTITUTIONAL AMENDMENT NO. 3. — (Proposed by Initiative Petition)

Official Ballot Title:

Do you want to amend the Missouri Constitution to:

- remove state prohibitions on purchasing, possessing, consuming, using, delivering, manufacturing, and selling marijuana for personal use for adults over the age of twenty-one;
- require a registration card for personal cultivation with prescribed limits;
- allow persons with certain marijuana-related non-violent offenses to petition for release from incarceration or parole and probation and have records expunged;
- establish a lottery selection process to award licenses and certificates;
- issue equally distributed licenses to each congressional district; and
- impose a six percent tax on the retail price of marijuana to benefit various programs?

State governmental entities estimate initial costs of \$3.1 million, initial revenues of at least \$7.9 million, annual costs of \$5.5 million, and annual revenues of at least \$40.8 million. Local governments are estimated to have annual costs of at least \$35,000 and annual revenues of at least \$13.8 million.

Fair Ballot Language:

A **"yes"** vote will amend the Missouri Constitution to remove state prohibitions on the purchase, possession, consumption, use, delivery, manufacture, and sale of marijuana for personal use for adults over the age of twenty-one.

The amendment would also allow individuals with certain marijuana-related offenses to petition for release from prison or parole and probation and have their records expunged; along with imposing a six percent tax on the retail price of recreational marijuana.

A **"no"** vote will not amend the Missouri Constitution and the sale and use of marijuana for recreational purposes will remain prohibited under current law. Medical marijuana would remain unchanged.

If passed, this measure will impose a 6 percent tax on the retail price of recreational marijuana.

SECTION

- 1 Right to access medical marijuana.
- 2 Marijuana legalization, regulation, and taxation.

Be it resolved by the people of the State of Missouri that the Constitution be amended:

Article XIV of the Constitution is amended by amending Section 1 of Article XIV and enacting one new section to be known as Section 2 of Article IV, to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

SECTION 1. RIGHT TO ACCESS MEDICAL MARIJUANA. — 1. Purposes.

This section is intended to permit state-licensed physicians and nurse practitioners to recommend marijuana for medical purposes to patients with serious illnesses and medical conditions. The section allows patients with qualifying medical conditions the right to discuss freely with their physicians and nurse practitioners the possible benefits of medical marijuana use, the right of their physicians and nurse practitioners to provide professional advice concerning the same, and the right to use medical marijuana for treatment under the supervision of a physician or nurse practitioner.

This section is intended to make only those changes to Missouri laws that are necessary to protect patients, their primary caregivers, and their physicians and nurse practitioners from civil and criminal penalties, and to allow for the limited legal production, distribution, sale and purchase of marijuana for medical use. This section is not intended to change current civil and criminal laws governing the use of marijuana for nonmedical purposes. The section does not allow for the public use of marijuana and driving under the influence of marijuana.

2. Definitions.

(1) "Administer" means the direct application of marijuana to a qualifying patient by way of any of the following methods:

- (a) Ingestion of capsules, teas, oils, and other marijuana-infused products;
- (b) Vaporization or smoking of dried flowers, buds, plant material, extracts, [or] oils, and other marijuana-infused products;
- (c) Application of ointments or balms;
- (d) Transdermal patches and suppositories;
- (e) Consuming marijuana-infused food products; or
- (f) Any other method recommended by a qualifying patient's physician or nurse practitioner.

(2) "Church" means a permanent building primarily and regularly used as a place of religious worship.

(3) "Daycare" means a child-care facility, as defined by section 210.201, RSMo., or successor provisions, that is licensed by the state of Missouri.

(4) "Department" means the department of health and senior services, or its successor agency.

[(3)] (5) "Entity" means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

[(4)] (6) "Flowering plant" means a marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

(7) "Infused Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

[(5)] (8) "Marijuana" or "marihuana" means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp, [containing a cropwide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis,] as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

~~[(6)] (9) "Marijuana-infused products" means products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof [and are intended for use or consumption other than by smoking], including, but not limited to, [edible products, ointments, tinctures and concentrates.] products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.~~

~~(10) "Medical Facility" means any medical marijuana cultivation facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility, as defined in this section.~~

~~[(7)] (11) "Medical marijuana cultivation facility" means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, and marijuana vegetative cuttings (also known as clones) to a medical marijuana dispensary facility, medical marijuana testing facility, medical marijuana cultivation facility, or to a medical marijuana-infused products manufacturing facility. A medical marijuana cultivation facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.~~

~~[(8)] (12) "Medical marijuana dispensary facility" means a facility licensed by the department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, anywhere on the licensed property or to any address as directed by the patient or primary caregiver, so long as the address is a location allowing for the legal possession of marijuana, another medical marijuana dispensary facility, a [medical] marijuana testing facility, a medical marijuana cultivation facility, or a medical marijuana-infused products manufacturing facility. Dispensary facilities may receive transaction orders at the dispensary in person, by phone, or via the internet, including from a third party. A medical marijuana dispensary facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.~~

~~[(9)] (13) "Medical marijuana-infused products manufacturing facility" means a facility licensed by the department to acquire, process, package, store on site or off site, manufacture, transport to or from, and sell marijuana-infused products to a medical marijuana dispensary facility, a [medical] marijuana testing facility, a medical marijuana cultivation facility, or to another medical marijuana-infused products manufacturing facility.~~

~~[(10)] (14) "[Medical marijuana] Marijuana testing facility" means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally licensed as a medical marijuana testing facility.~~

~~[(11)] (15) "Medical use" means the production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.~~

~~(16) "Nurse practitioner" means an individual who is licensed and in good standing as an advanced practice registered nurse, or successor designation, under Missouri law.~~

~~(17) "Owner" means an individual who has a financial (other than security interest, lien, or encumbrance) or voting interest in ten percent or greater of a marijuana facility.~~

~~[(12)] (18) "Physician" means an individual who is licensed and in good standing to practice medicine or osteopathy under Missouri law.~~

~~[(13)] (19) "Physician or nurse practitioner certification" means a document, whether handwritten, electronic or in another commonly used format, signed by a physician or a nurse~~

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practitioner and stating that, in the physician's or nurse practitioner's professional opinion, the patient suffers from a qualifying medical condition.

(20) "Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

[(14)] (21) "Primary caregiver" means an individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under this section or in other written notification to the department.

[(15)] (22) "Qualifying medical condition" means the condition of, symptoms related to, or side-effects from the treatment of:

- (a) Cancer;
- (b) Epilepsy;
- (c) Glaucoma;
- (d) Intractable migraines unresponsive to other treatment;
- (e) A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's syndrome;
- (f) Debilitating psychiatric disorders, including, but not limited to, posttraumatic stress disorder, if diagnosed by a state licensed psychiatrist;
- (g) Human immunodeficiency virus or acquired immune deficiency syndrome;
- (h) A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician or nurse practitioner determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;
- (i) Any terminal illness; or
- (j) In the professional judgment of a physician or nurse practitioner, any other chronic, debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.

[(16)] (23) "Qualifying patient" means [a Missouri resident] an individual diagnosed with at least one qualifying medical condition.

(24) "Unduly burdensome" (when referring to a facility licensee or certificate holder) means the measures necessary to comply with the rules or ordinances adopted pursuant to this section subject the party to such a high investment or expense of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the facility; and, (when referring to qualifying patients, primary caregivers, physicians, nurse practitioners, or other party) "unduly burdensome" means the measures necessary to comply with the rules or ordinances adopted pursuant to this section undermine the purpose of this section.

3. Creating Patient Access to Medical Marijuana.

(1) In carrying out the implementation of this section, the department shall have the authority to:

- (a) Grant or refuse state licenses and certifications for the cultivation, manufacture, dispensing, sale, testing, tracking, and transportation of marijuana and marijuana-infused products for medical use, as provided by this section and general law; suspend, impose an authorized fine, restrict, or revoke such licenses and certifications upon a violation of this section, general law, or a rule

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promulgated pursuant to this section; and impose any administrative penalty authorized by this section or any general law enacted or rule promulgated pursuant to this section, so long as any procedure related to a suspension or revocation includes a reasonable cure period, not less than thirty days, prior to the suspension or revocation, except in instances where there is a credible and imminent threat to public health or public safety.

(b) Promulgate rules and emergency rules necessary for the proper regulation and control of the cultivation, manufacture, dispensing, and sale of marijuana for medical use and for the enforcement of this section so long as patient access is not restricted unreasonably and such rules are reasonably necessary for patient safety or to restrict access to only licensees and qualifying patients.

(c) Develop such forms, certificates, licenses, identification cards, and applications as are necessary for, or reasonably related to, the administration of this section or any of the rules promulgated under this section[;].

(d) Require a seed-to-sale tracking system that tracks medical marijuana from either the seed or immature plant stage until the medical marijuana or medical marijuana-infused product is sold to a qualifying patient or primary caregiver to ensure that no medical marijuana grown by a medical marijuana cultivation facility or manufactured by a medical marijuana-infused products manufacturing facility is sold or otherwise transferred except by a medical marijuana dispensary facility. The department shall certify, if possible, at least two commercially available systems to licensees as compliant with its tracking standards and issue standards for the creation or use of other systems by licensees.

(e) Issue standards for the secure transportation of marijuana and marijuana-infused products. The department shall certify entities which demonstrate compliance with its transportation standards to transport marijuana and marijuana-infused products to or from a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a [medical] marijuana testing facility, or another entity with a transportation certification. The department shall develop or adopt from any other governmental agency such safety and security standards as are reasonably necessary for the transportation of marijuana and marijuana-infused products. Any entity licensed or certified pursuant to this section shall be allowed to transport and store [cannabis] marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) and marijuana-infused products for purposes related to transportation in compliance with department regulations on storage of marijuana and marijuana-infused products.

(f) The department may charge a fee not to exceed \$5,000 for any certification issued pursuant to this section.

(g) Prepare and transmit annually a publicly available report accounting to the governor for the efficient discharge of all responsibilities assigned to the department under this section[;].

(h) [Establish a system to numerically score competing medical marijuana licensee and certificate applicants, only in cases where more applicants apply than the minimum number of licenses or certificates as calculated by this section, which scoring shall be limited to an analysis of the following:] Establish a lottery selection process to select medical marijuana licensee and certificate applicants, only in cases where more applicants apply than the minimum number of licenses or certificates as calculated by this section. To be eligible for the medical marijuana license lottery process, an applicant cannot have an owner who has pleaded or been found guilty of a disqualifying felony. A "disqualifying felony offense" is a violation of, and conviction or guilty plea to, state or federal law that is, or would have been, a felony under Missouri law, regardless of the sentence imposed, unless the department determines that:

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(i) The person's conviction was for a marijuana offense, other than provision of marijuana to a minor; or

(ii) The person's conviction was for a non-violent crime for which he or she was not incarcerated and that is more than five years old; or

(iii) More than five years have passed since the person was released from parole or probation, and he or she has not been convicted of any subsequent felony criminal offenses.

The department may consult with and rely on the records, advice, and recommendations of the attorney general and the department of public safety, or their successor entities, in carrying out the provisions of this subdivision.

[(i) the character, veracity, background, qualifications, and relevant experience of principal officers or managers;

(ii) the business plan proposed by the applicant, which in the case of cultivation facilities and dispensaries shall include the ability to maintain an adequate supply of marijuana, plans to ensure safety and security of qualifying patients and the community, procedures to be used to prevent diversion, and any plan for making marijuana available to low-income qualifying patients;

(iii) site security;

(iv) experience in a legal cannabis market;

(v) in the case of medical marijuana testing facilities, the experience of their personnel with testing marijuana, food or drugs for toxins and/or potency and health care industry experience;

(vi) the potential for positive economic impact in the site community;

(vii) in the case of medical marijuana cultivation facilities, capacity or experience with agriculture, horticulture, and health care;

(viii) in the case of medical marijuana dispensary facilities, capacity or experience with health care, the suitability of the proposed location, and its accessibility for patients;

(ix) in the case of medical marijuana-infused products manufacturing facilities, capacity or experience with food and beverage manufacturing; and

(x) maintaining competitiveness in the marijuana for medical use marketplace.]

In [ranking] establishing a lottery selection process to select medical marijuana licensee and certificate applicants and awarding licenses and certificates, the department may consult or contract with other public agencies with relevant expertise [regarding these factors]. The department shall lift or ease any limit on the number of licensees or certificate holders in order to meet the demand for marijuana for medical use by qualifying patients.

(2) The department shall issue any rules or emergency rules necessary for the implementation and enforcement of this section and to ensure the right to, availability, and safe use of marijuana for medical use by qualifying patients. In developing such rules or emergency rules, the department may consult with other public agencies. In addition to any other rules or emergency rules necessary to carry out the mandates of this section, the department may issue rules or emergency rules relating to the following subjects:

(a) Compliance with, enforcement of, or violation of any provision of this section or any rule issued pursuant to this section, including procedures and grounds for denying, suspending, [fining,] imposing an authorized fine, and restricting, or revoking a state license or certification issued pursuant to this section, so long as any procedure related to a suspension or revocation includes a reasonable cure period, not less than thirty days, prior to the suspension or revocation, except in instances where there is a credible and imminent threat to public health or public safety;

(b) Specifications of duties of officers and employees of the department;

(c) Instructions or guidance for local authorities and law enforcement officers;

(d) Requirements for inspections, investigations, searches, seizures, and such additional enforcement activities as may become necessary from time to time;

(e) [Creation of a range of] As otherwise authorized by this section or general law, administrative penalties and policies for use by the department;

(f) Prohibition of misrepresentation and unfair practices;

(g) Control of informational and product displays on licensed premises provided that the rules may not prevent or unreasonably restrict appropriate signs on the property of the medical marijuana dispensary facility, product display and examination by the qualifying patient and/or primary caregiver, listings in business directories including phone books, listings in marijuana-related or medical publications, or the sponsorship of health or not for profit charity or advocacy events. While the department shall have the general power to regulate the advertising and promotion of marijuana sales, under all circumstances, any such regulation shall be no more stringent than comparable state regulations on the advertising and promotion of alcohol sales;

(h) Development of individual identification cards for owners, officers, managers, contractors, employees, and other support staff of entities licensed or certified pursuant to this section, including a fingerprint-based federal and state criminal record check in accordance with U.S. Public Law 92-544, or its successor provisions, as may be required by the department prior to issuing a card and procedures to ensure that cards for new applicants are issued within fourteen days. Applicants licensed pursuant to this section shall submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check. The Missouri state highway patrol, if necessary, shall forward the fingerprints to the Federal Bureau of Investigation (FBI) for the purpose of conducting a fingerprint-based criminal background check. Fingerprints shall be submitted pursuant to section 43.543, RSMo, or its successor provisions, and fees shall be paid pursuant to section 43.530, RSMo, or its successor provisions. Unless otherwise required by law, no individual shall be required to submit fingerprints more than once;

(i) Security requirements for any premises licensed or certified pursuant to this section, including, at a minimum, lighting, physical security, video, alarm requirements, and other minimum procedures for internal control as deemed necessary by the department to properly administer and enforce the provisions of this section, including reporting requirements for changes, alterations, or modifications to the premises;

(j) Regulation of the storage of, warehouses for, and transportation of marijuana for medical use;

(k) Sanitary requirements for, including, but not limited to, the preparation of medical marijuana-infused products;

(l) The specification of acceptable forms of picture identification that a medical marijuana dispensary facility may accept when verifying a sale;

(m) Labeling and packaging standards;

(n) Records to be kept by licensees and the required availability of the records;

(o) State licensing procedures, including procedures for renewals, reinstatements, initial licenses, and the payment of licensing fees;

(p) The reporting and transmittal of tax payments;

(q) Authorization for the department of revenue to have access to licensing information to ensure tax payment and the effective administration of this section; and

(r) Such other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this section.

(3) The department shall issue rules or emergency rules for a medical marijuana and medical marijuana-infused products independent testing and certification program for medical marijuana

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licensees and requiring licensees to test medical marijuana using one or more impartial, independent laboratories to ensure, at a minimum, that products sold for human consumption do not contain contaminants that are injurious to health, to ensure correct labeling and measure potency. The department shall not require any medical marijuana or medical marijuana-infused products to be tested more than once prior to sale.

(4) The department shall issue rules or emergency rules to provide for the certification of and standards for [medical] marijuana testing facilities, including the requirements for equipment and qualifications for personnel, but shall not require certificate holders to have any federal agency licensing or have any relationship with a federally licensed testing facility. The department shall certify, if possible, at least two entities as [medical] marijuana testing facilities. No [medical] marijuana testing facility shall be owned by an entity or entities under substantially common control, ownership, or management as a medical marijuana cultivation facility, medical marijuana-infused product manufacturing facility, or medical marijuana dispensary facility.

(5) [The department shall maintain the confidentiality of reports or other information obtained from an applicant or licensee containing any individualized data, information, or records related to the licensee or its operation, including sales information, financial records, tax returns, credit reports, cultivation information, testing results, and security information and plans, or revealing any patient information, or any other records that are exempt from public inspection pursuant to state or federal law. Such reports or other information may be used only for a purpose authorized by this section.] Any information released by the department related to patients may [be used] only be for a purpose authorized by federal law and this section, including verifying that a person who presented a patient identification card to a state or local law enforcement official is lawfully in possession of such card. Beginning December 8, 2022, all public records produced or retained pursuant to this section are subject to the general provisions of the Missouri Sunshine Law, chapter 610, RSMo, or its successor provisions. Notwithstanding the foregoing, records containing proprietary business information obtained from an applicant or licensee shall be closed. For documents submitted on or after December 8, 2022, the applicant or licensee shall label business information it believes to be proprietary prior to submitting it to the department. For documents submitted prior to December 8, 2022, the applicant or licensee may advise the department, through a department approved process, of any records previously submitted by the applicant or licensee it believes contain proprietary business information. Proprietary business information shall include sales information, financial records, tax returns, credit reports, license applications, cultivation information unrelated to product safety, testing results unrelated to product safety, site security information and plans, and individualized consumer information. The presence of proprietary business information shall not justify the closure of public records:

- (a) identifying the applicant or licensee;
- (b) relating to any citation, notice of violation, tax delinquency, or other enforcement action;
- (c) relating to any public official's support or opposition relative to any applicant, licensee, or their proposed or actual operations;
- (d) where disclosure is reasonably necessary for the protection of public health or safety; or
- (e) that are otherwise subject to public inspection under other applicable law.

(6) Within one hundred eighty days of December 6, 2018, the department shall make available to the public license application forms and application instructions for medical marijuana cultivation facilities, [medical] marijuana testing facilities, medical marijuana dispensary facilities, and medical marijuana-infused products manufacturing facilities.

(7) Within one hundred eighty days of December 6, 2018, the department shall make available to the public application forms and application instructions for qualifying patient, qualifying

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patient cultivation, and primary caregiver identification cards. Within two hundred ten days of December 6, 2018, the department shall begin accepting applications for such identification cards.

(8) An entity may apply to the department for and obtain one or more licenses to grow marijuana as a medical marijuana cultivation facility. Each facility in operation shall require a separate license, but multiple licenses may be utilized in a single facility. Each indoor facility utilizing artificial lighting may be limited by the department to thirty thousand square feet of flowering plant canopy space. Each outdoor facility utilizing natural lighting may be limited by the department to two thousand eight hundred flowering plants. Each greenhouse facility using a combination of natural and artificial lighting may be limited by the department, at the election of the licensee, to two thousand eight hundred flowering plants or thirty thousand square feet of flowering plant canopy. The license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a nonrefundable fee of ten thousand dollars per license application or renewal for all applicants filing an application within three years of December 6, 2018, and shall charge each applicant a nonrefundable fee of five thousand dollars per license application or renewal thereafter. Once granted, the department shall charge each licensee an annual fee of twenty-five thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. [No more than three medical marijuana cultivation facility licenses shall be issued to any entity under substantially common control, ownership, or management.] An entity or entities under substantially common control, ownership, or management may not be an owner of more than ten percent of the total marijuana cultivation facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(9) An entity may apply to the department for and obtain one or more licenses to operate a medical marijuana dispensary facility. Each facility in operation shall require a separate license. A license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a nonrefundable fee of six thousand dollars per license application or renewal for each applicant filing an application within three years of December 6, 2018, and shall charge each applicant a nonrefundable fee of three thousand dollars per license application or renewal thereafter. Once granted, the department shall charge each licensee an annual fee of ten thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. [No more than five medical marijuana dispensary facility licenses shall be issued to any entity under substantially common control, ownership, or management.] An entity or entities under substantially common control, ownership, or management may not be an owner of more than ten percent of the total marijuana dispensary facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(10) An entity may apply to the department for and obtain one or more licenses to operate a medical marijuana-infused products manufacturing facility. Each facility in operation shall require a separate license. A license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a nonrefundable fee of six thousand dollars per license application or renewal for each applicant filing an application within three years of December 6, 2018, and shall charge each applicant a nonrefundable fee of three thousand dollars per license application or renewal thereafter. Once granted, the department

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shall charge each licensee an annual fee of ten thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. [No more than three medical marijuana-infused products manufacturing facility licenses shall be issued to any entity under substantially common control, ownership, or management.] An entity or entities under substantially common control, ownership, or management may not be an owner of more than ten percent of the total marijuana-infused products manufacturing facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(11) Any applicant for a license authorized by this section may prefile their application fee with the department beginning 30 days after December 6, 2018.

(12) Except for good cause, a qualifying patient or his or her primary caregiver may obtain an identification card from the department to cultivate up to six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall) for the exclusive use of that qualifying patient. The card shall be valid for [twelve months] three years from its date of issuance and shall be renewable with the [annual] submittal of a new or updated [physician's] physician or nurse practitioner certification. The department shall charge [an annual] a fee for the card of [one hundred] fifty dollars, with such rate to be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency.

(13) The department may set a limit on the amount of marijuana that may be purchased by or on behalf of a single qualifying patient in a thirty-day period, provided that limit is not less than [four] six ounces of dried, unprocessed marijuana, or its equivalent. Any such limit shall not apply to a qualifying patient with written certification from [two independent physicians] a physician or nurse practitioner that there are compelling reasons why the qualifying patient needs a greater amount than the limit established by the department.

(14) The department may set a limit on the amount of marijuana that may be possessed by or on behalf of each qualifying patient, provided that limit is not less than a sixty-day supply of dried, unprocessed marijuana, or its equivalent. A primary caregiver may possess a separate legal limit for each qualifying patient under their care and a separate legal limit for themselves if they are a qualifying patient. Qualifying patients cultivating marijuana for medical use may possess up to a ninety-day supply, so long as the supply remains on property under their control. Any such limit shall not apply to a qualifying patient with written certification from [two independent physicians] an independent physician or nurse practitioner that there are compelling reasons for additional amounts. Possession of between the legal limit and up to twice the legal limit shall subject the possessor to department sanctions, including an administrative penalty of up to two hundred dollars and loss of their patient identification card for up to a year. Purposefully possessing amounts in excess of twice the legal limit shall be punishable [by imprisonment of up to one year and a fine of up to two thousand dollars] as an infraction under applicable law.

(15) The department may restrict the aggregate number of licenses granted for medical marijuana cultivation facilities and comprehensive marijuana cultivation facilities authorized by section 2 combined, provided, however, that the number may not be limited to fewer than one license per every one hundred thousand inhabitants, or any portion thereof, of the state of Missouri, according to the most recent census of the United States. A decrease in the number of inhabitants in the state of Missouri shall have no impact.

(16) The department may restrict the aggregate number of licenses granted for medical marijuana-infused products manufacturing facilities and comprehensive marijuana-infused products manufacturing facilities authorized by section 2 combined, provided, however, that the number may not be limited to fewer than one license per every seventy thousand inhabitants, or any portion thereof, of the state of Missouri, according to the most recent census of the United States. A decrease in the number of inhabitants in the state of Missouri shall have no impact.

(17) The department may restrict the aggregate number of licenses granted for medical marijuana dispensary facilities and comprehensive marijuana dispensary facilities authorized by section 2 combined, provided, however, that the number may not be limited to fewer than twenty-four licenses in each United States congressional district in the state of Missouri pursuant to the map of each of the eight congressional districts as drawn and effective on December 6, 2018. Future changes to the boundaries of or the number of congressional districts shall have no impact.

(18) The department shall begin accepting license and certification applications for medical marijuana dispensary facilities, [medical] marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, seed-to-sale tracking systems, and for transportation of marijuana no later than two hundred forty days after December 6, 2018. Applications for licenses and certifications under this section shall be approved or denied by the department no later than one hundred fifty days after their submission. If the department fails to carry out its nondiscretionary duty to approve or deny an application within one hundred fifty days of submission, an applicant may immediately seek a court order compelling the department to approve or deny the application.

(19) Qualifying patients under this section shall obtain [and annually renew] an identification card or cards from the department. The department shall charge a fee of twenty-five dollars [per year] per card. [with such fee to] Such fee may be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor or its successor agency. Cards shall be valid for three years and may be renewed with a new physician or nurse practitioner certification. Upon receiving an application for a qualifying patient identification card or qualifying patient cultivation identification card, the department shall, within thirty days, either issue the card or provide a written explanation for its denial. If the department fails to deny and fails to issue a card to an eligible qualifying patient within thirty days, then their physician or nurse practitioner certification shall serve as their qualifying patient identification card or qualifying patient cultivation identification card for up to one year from the date of physician or nurse practitioner certification. All initial applications for or renewals of a qualifying patient identification card or qualifying patient cultivation identification card shall be accompanied by a physician or nurse practitioner certification that is less than thirty days old.

(20) Primary caregivers under this section shall obtain [and annually renew] an identification card from the department. Cards shall be valid for three years. The department shall charge a fee of twenty-five dollars per [year, with such fee to] card. Such fee may be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. Upon receiving an application for a primary caregiver identification card, the department shall, within thirty days, either issue the card or provide a written explanation for its denial.

(21) Except as otherwise provided in this Article, all [All] marijuana for medical use sold in Missouri shall be cultivated in a licensed medical marijuana cultivation facility located in Missouri.

(22) Except as otherwise provided in this Article, all [All] marijuana-infused products for medical use sold in the state of Missouri shall be manufactured in a medical marijuana-infused products manufacturing facility.

(23) The denial of a license, license renewal, or identification card by the department shall be appealable to the administrative hearing commission, or its successor entity. Following the exhaustion of administrative review, denial of a license, license renewal, or identification card by the department shall be subject to judicial review as provided by law.

(24) No elected official shall interfere directly or indirectly with the department's obligations and activities under this section.

(25) The department shall not have the authority to apply or enforce any unduly burdensome rule or regulation or administrative penalty [that would impose an undue burden on] upon any one or more licensees or certificate holders, any qualifying patients, or their primary caregivers, or act to undermine the purposes of this section.

4. Taxation and Reporting.

(1) A tax is levied upon the retail sale of marijuana for medical use sold at medical marijuana dispensary facilities within the state. The tax shall be at a rate of four percent of the retail price. The tax shall be collected by each licensed medical marijuana dispensary facility and paid to the department of revenue. After retaining no more than [five] two percent for its actual collection costs, amounts generated by the medical marijuana tangible personal property retail sales tax levied in this section shall be deposited by the department of revenue into the Missouri veterans' health and care fund. Licensed entities making retail sales within the state shall be allowed approved credit for returns provided the tax was paid on the returned item and the purchaser was given the refund or credit.

(2) There is hereby created in the state treasury the "Missouri Veterans' Health and Care Fund", which shall consist of taxes and fees collected under this section. The state treasurer shall be custodian of the fund, and he or she shall invest monies in the fund in the same manner as other funds are invested. Any interest and monies earned on such investments shall be credited to the fund. Notwithstanding any other provision of law, any monies remaining in the fund at the end of a biennium shall not revert to the credit of the general revenue fund. The commissioner of administration is authorized to make cash operating transfers to the fund for purposes of meeting the cash requirements of the department in advance of it receiving annual application, licensing, and tax revenue, with any such transfers to be repaid as provided by law. The fund shall be a dedicated fund and shall stand appropriated without further legislative action as follows:

(a) First, to the department, an amount necessary for the department to carry out this section, including repayment of any cash operating transfers, payments made through contract or agreement with other state and public agencies necessary to carry out this section, and a reserve fund to maintain a reasonable working cash balance for the purpose of carrying out this section;

(b) Next, the remainder of such funds shall be transferred to the Missouri veterans commission for health and care services for military veterans, including the following purposes: operations, maintenance and capital improvements of the Missouri veterans homes, the Missouri service officer's program, and other services for veterans approved by the commission, including, but not limited to, health care services, mental health services, drug rehabilitation services, housing assistance, job training, tuition assistance, and housing assistance to prevent homelessness. The Missouri veterans commission shall contract with other public agencies for the delivery of services beyond its expertise.

(c) All monies from the taxes authorized under this subsection shall provide additional dedicated funding for the purposes enumerated above and shall not replace existing dedicated funding.

(3) For all retail sales of marijuana for medical use, a record shall be kept by the seller which identifies, by secure and encrypted patient number issued by the seller to the qualifying patient involved in the sale, all amounts and types of marijuana involved in the sale and the total amount of money involved in the sale, including itemizations, taxes collected and grand total sale amounts. All such records shall be kept on the premises in a readily available format and be made available for review by the department and the department of revenue upon request. Such records shall be retained for five years from the date of the sale.

(4) The tax levied pursuant to this subsection is separate from, and in addition to, any general state and local sales and use taxes that apply to retail sales, which shall continue to be collected and distributed as provided by general law.

(5) Except as authorized in this subsection, no additional taxes shall be imposed on the sale of marijuana for medical use.

(6) The fees and taxes provided for in this Article XIV, Section 1 shall be fully enforceable notwithstanding any other provision in this Constitution purportedly prohibiting or restricting the taxes and fees provided for herein.

(7) The unexpended balance existing in the fund shall be exempt from the provisions of section 33.080, RSMo, or its successor provisions, relating to the transfer of unexpended balances to the general revenue fund.

(8) For taxpayers authorized to do business pursuant to this Article, the amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 280E of the Internal Revenue Code as in effect on January 1, 2021, or successor provisions, but is disallowed because cannabis is a controlled substance under federal law, shall be subtracted from the taxpayer's federal adjusted gross income, in determining the taxpayer's Missouri adjusted gross income.

5. Additional Patient, Physician, Nurse Practitioner, Caregiver and Provider Protections.

(1) Except as provided in this section, the possession of marijuana in quantities less than the limits of this section, or established by the department, and transportation of marijuana [from a medical marijuana dispensary facility to the qualifying patient's residence] by the qualifying patient or primary caregiver shall not subject the possessor to arrest, criminal or civil liability, or sanctions under Missouri law, provided that the possessor produces on demand to the appropriate authority a valid qualifying patient identification card; a valid qualifying patient cultivation identification card; a valid physician or nurse practitioner certification while making application for an identification card; or a valid primary caregiver identification card. Production of the respective substantially equivalent identification card or authorization issued by another state or political subdivision of another state shall also meet the requirements of this subdivision and shall allow for the purchase of medical marijuana for use by a non-resident patient from a medical marijuana dispensary facility as permitted by this section and in compliance with department regulations.

(2) No patient shall be denied access to or priority for an organ transplant or other medical care because they hold a qualifying patient identification card or use marijuana for medical use.

(3) A physician or nurse practitioner shall not be subject to criminal or civil liability or sanctions under Missouri law or discipline by the Missouri state board of registration for the healing arts, the Missouri state board of nursing, or [its] their respective successor [agency] agencies, for owning, operating, investing in, being employed by, or contracting with any entity licensed or certified pursuant to this section or issuing a physician or nurse practitioner certification

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to a patient diagnosed with a qualifying medical condition in a manner consistent with this section and legal standards of professional conduct.

(4) A health care provider shall not be subject to civil or criminal prosecution under Missouri law, denial of any right or privilege, civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission for owning, operating, investing in, being employed by, or contracting with any entity licensed or certified pursuant to this section or providing health care services that involve the medical use of marijuana consistent with this section and legal standards of professional conduct.

(5) A [medical] marijuana testing facility shall not be subject to civil or criminal prosecution under Missouri law, denial of any right or privilege, civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission for providing laboratory testing services that relate to the medical use of marijuana consistent with this section and otherwise meeting legal standards of professional conduct.

(6) A health care provider shall not be subject to mandatory reporting requirements for the medical use of marijuana by nonemancipated qualifying patients under eighteen years of age in a manner consistent with this section and with consent of a parent or guardian.

(7) A primary caregiver shall not be subject to criminal or civil liability or sanctions under Missouri law for purchasing, transporting, or administering marijuana for medical use to a qualifying patient or participating in the patient cultivation of up to six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall) per patient and no more than twenty-four flowering plants for more than one qualifying patient in a manner consistent with this section and generally established legal standards of personal or professional conduct.

(8) [An attorney shall not be subject to disciplinary action by the state bar association or other professional licensing body for owning, operating, investing in, being employed by, contracting with, or providing legal assistance to prospective or licensed medical marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana dispensary facilities, medical marijuana-infused products manufacturing facilities, qualifying patients, primary caregivers, physicians, health care providers or others related to activity that is no longer subject to criminal penalties under state law pursuant to this section.] Notwithstanding any provision of Article V to the contrary, an attorney shall not be subject to disciplinary action by the Supreme Court of Missouri, the office of chief disciplinary counsel, the state bar association, any state agency, or any professional licensing body for any of the following:

(a) owning, operating, investing in, being employed by, or contracting with prospective or licensed marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana dispensary facilities, medical marijuana-infused products manufacturing facilities, or transportation certificate holders;

(b) counseling, advising, and/or assisting a client in conduct permitted by Missouri law that may violate or conflict with federal or other law, as long as the attorney advises the client about that federal or other law and its potential consequences;

(c) counseling, advising, and/or assisting a client in connection with applying for, owning, operating, or otherwise having any legal, equitable, or beneficial interest in marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana dispensary facilities, medical marijuana-infused products manufacturing facilities, or transportation certificates; or

(d) counseling, advising or assisting a qualifying patient, primary caregiver, physician, nurse practitioner, health care provider or other client related to activity that is no longer subject to criminal penalties under Missouri law pursuant to this Article.

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(9) Actions and conduct by qualifying patients, primary caregivers, [medical] marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, or medical marijuana dispensary facilities licensed or registered with the department, or their employees or agents, as permitted by this section and in compliance with department regulations and other standards of legal conduct, shall not be subject to criminal or civil liability or sanctions under Missouri law, except as provided for by this section.

(10) Nothing in this section shall provide immunity for negligence, either common law or statutorily created, nor criminal immunities for operating a vehicle, aircraft, dangerous device, or navigating a boat under the influence of marijuana.

(11) It is the public policy of the state of Missouri that contracts related to marijuana for medical use that are entered into by qualifying patients, primary caregivers, [medical] marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, or medical marijuana dispensary facilities and those who allow property to be used by those entities, should be enforceable. It is the public policy of the state of Missouri that no contract entered into by qualifying patients, primary caregivers, [medical] marijuana testing facilities, medical marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, or medical marijuana dispensary facilities, or by a person who allows property to be used for activities that are exempt from state criminal penalties by this section, shall be unenforceable on the basis that activities related to medical marijuana may be prohibited by federal law.

(12) In the process of requesting a search or arrest warrant relating to the production, possession, transportation or storage of marijuana, a state or local law enforcement official shall verify with the department whether the targeted person is a qualifying patient or primary caregiver holding an identification card allowing for cultivation of marijuana plants under subdivision (12) of subsection 3 of this section, and shall inform the issuing authority accordingly when making the warrant request. Evidence of marijuana alone, without specific evidence indicating that the marijuana is outside of what is lawful for medical or adult use, cannot be the basis for a search of a patient or non-patient, including their home, vehicle or other property. Lawful marijuana related activities cannot be the basis for a violation of parole, probation, or any type of supervised release. State and local law enforcement shall only have access to such department information as is necessary to confirm whether the targeted person holds registration card.

(13) Registered qualifying patients on bond for pre-trial release, on probation, or other form of supervised release shall not be prohibited from legally using a lawful marijuana product as a term or condition of release, probation, or parole. An alternative sentencing drug court program may not prohibit individuals under its jurisdiction from using a lawful marijuana product as long as the individual is a registered qualifying patient.

(14) A family court participant or party who requires treatment for a qualified medical condition in accordance with this section shall not be required to refrain from using medical marijuana as a term or condition of successful completion of the family court program. The status and conduct of a qualified patient who acts in accordance with this section shall not, by itself, be used to restrict or abridge custodial or parental rights to minor children in any action or proceeding under the jurisdiction of a family court under chapter 487, RSMo, including domestic matters under chapter 452, RSMo, or a juvenile court under chapter 211, RSMo, or successor provisions.

(15) A person shall not be denied adoption, custody, or visitation rights relative to a minor solely for conduct that is permitted by this section.

(16) No person shall be denied their rights under Article 1, Section 23 of the Missouri Constitution, or successor provisions, solely for conduct that is permitted by this section.

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6. Legislation.

Nothing in this section shall limit the general assembly from enacting laws consistent with this section, or otherwise effectuating the patient rights of this section. The legislature shall not enact laws that hinder the right of qualifying patients to access marijuana for medical use as granted by this section.

7. Additional Provisions.

(1) Nothing in this section permits a person to:

(a) Consume marijuana for medical use in a jail or correctional facility;
(b) Undertake any task under the influence of marijuana when doing so would constitute negligence or professional malpractice; or

(c) Operate, navigate, or be in actual physical control of any dangerous device or motor vehicle, aircraft or motorboat while under the influence of marijuana. Notwithstanding the foregoing, an arrest or a conviction of a person who has a valid qualifying patient identification card for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in actual physical control of the dangerous device or motor vehicle, aircraft or motorboat and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system; or

(d) Bring a claim against any employer, former employer, or prospective employer for wrongful discharge, discrimination, or any similar cause of action or remedy, based on the employer, former employer, or prospective employer prohibiting the employee, former employee, or prospective employee from being under the influence of marijuana while at work or disciplining the employee or former employee, up to and including termination from employment, for working or attempting to work while under the influence of marijuana.

(2) No medical marijuana cultivation facility, [medical] marijuana testing facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility, or entity with a transportation certification shall be owned, in whole or in part, or have as an officer, director, board member, manager, or employee, any individual with a disqualifying felony offense. A "disqualifying felony offense" is a violation of, and conviction or guilty plea to, state or federal law that is, or would have been, a felony under Missouri law, regardless of the sentence imposed, unless the department determines that:

(a) The person's conviction was for the medical use of marijuana or assisting in the medical use of marijuana; or

(b) The person's conviction was for a nonviolent crime for which he or she was not incarcerated and that is more than five years old; or

(c) More than five years have passed since the person was released from parole or probation, and he or she has not been convicted of any subsequent criminal offenses.

The department may consult with and rely on the records, advice and recommendations of the attorney general and the department of public safety, or their successor entities, in applying this subdivision.

(3) [All medical marijuana cultivation facility, medical marijuana dispensary facility, and medical marijuana-infused products manufacturing facility licenses, entities with medical marijuana testing facility certifications, and entities with transportation certifications shall be held by entities that are majority owned by natural persons who have been citizens of the state of Missouri for at least one year prior to the application for such license or certification. Notwithstanding the foregoing, entities outside the state of Missouri may own a minority stake in such entities.

(4)] No medical marijuana cultivation facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility shall manufacture, package or label marijuana or marijuana-infused products in a false or misleading manner. No person shall sell any product in a manner designed to cause confusion between a marijuana or marijuana-infused product and any product not containing marijuana. A violation of this subdivision shall be punishable by an appropriate and proportional department sanction, up to and including an administrative penalty of five thousand dollars and loss of license.

[(5)] (4) All edible marijuana-infused products shall be sold in individual, child-resistant containers that are labeled with dosage amounts, instructions for use, and estimated length of effectiveness. All marijuana and marijuana-infused products shall be sold in containers clearly and conspicuously labeled as mandated by the department[, in a font size at least as large as the largest other font size used on the package,] as containing "Marijuana", or a "Marijuana-Infused Product". Violation of this prohibition shall subject the violator to department sanctions, including an administrative penalty of five thousand dollars.

[(6)] (5) No individual shall serve as the primary caregiver for more than [three] six qualifying patients. No primary caregiver cultivating marijuana for more than one qualifying patient may exceed a total of twenty-four flowering plants.

[(7) No qualifying patient shall consume marijuana for medical use in a public place, unless provided by law. Violation of this prohibition shall subject the violator to sanctions as provided by general law.] (6) A person who smokes medical marijuana in a public place, other than in an area licensed for such activity by the department or by local authorities having jurisdiction over the licensing or permitting of said activity, is subject to a civil penalty not exceeding one hundred dollars.

[(8)] (7) No person shall extract resins from marijuana using dangerous materials or combustible gases without a medical marijuana-infused products manufacturing facility license. Violation of this prohibition shall subject the violator to department sanctions, including an administrative penalty of one thousand dollars for a patient or primary caregiver and ten thousand dollars for a facility licensee and, if applicable, loss of their identification card, certificate, or license for up to one year.

[(9)] (8) All qualifying patient cultivation shall take place in an enclosed, locked facility that is equipped with security devices that permit access only by the qualifying patient or by such patient's primary caregiver. Two qualifying patients, who both hold valid qualifying patient cultivation identification cards, may share one enclosed, locked facility. [No more than twelve qualifying patient or primary caregiver cultivated flowering marijuana plants may be cultivated in a single, enclosed locked facility, except when a primary caregiver also holds a qualifying patient cultivation identification card, in which case no more than eighteen flowering marijuana plants may be cultivated in a single, enclosed, locked facility.] Primary caregivers cultivating marijuana for more than one qualifying patient may cultivate each respective qualifying patient's flowering plants in a single, enclosed locked facility subject to the limits of subsection 3, paragraph 12.

[(10)] (9) No medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, [medical] marijuana testing facility, or entity with a transportation certification shall assign, sell, give, lease, sublicense, or otherwise transfer its license or certificate to any other entity without the express consent of the department, not to be unreasonably withheld.

[(11)] (10) (a) Unless allowed by the local government, no new medical marijuana cultivation facility, [medical] marijuana testing facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility shall be initially sited within one thousand feet

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of any then-existing elementary or secondary school, child day-care center, or church. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot. No local government shall prohibit medical marijuana cultivation facilities, [medical] marijuana testing facilities, medical marijuana-infused products manufacturing facilities, or medical marijuana dispensary facilities, or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing the time, place, and manner of operation of such facilities in the locality. A local government may establish civil penalties for violation of an ordinance or regulations governing the time, place, and manner of operation of a medical marijuana cultivation facility, [medical] marijuana testing facility, medical marijuana-infused products manufacturing facility, medical marijuana dispensary facility, or entity holding a transportation certification that may operate in such locality.

(b) The only local government ordinances or regulations that are binding on a medical facility are those of the local government where the medical facility is physically located.

~~[(12)]~~ (11) Unless superseded by federal law or an amendment to this Constitution, a physician or nurse practitioner shall not certify a qualifying condition for a patient by any means other than providing a physician or nurse practitioner certification for the patient, whether handwritten, electronic, or in another commonly used format. [A qualifying patient must obtain a new physician certification at least annually.]

~~[(13)]~~ (12) A physician or nurse practitioner shall not issue a certification for the medical use of marijuana for a nonemancipated qualifying patient under the age of eighteen without the written consent of the qualifying patient's parent or legal guardian. The department shall not issue a qualifying patient identification card on behalf of a nonemancipated qualifying patient under the age of eighteen without the written consent of the qualifying patient's parent or legal guardian. Such card shall be issued to one of the parents or guardians and not directly to the patient. Only a parent or guardian may serve as a primary caregiver for a nonemancipated qualifying patient under the age of eighteen. Only the qualifying patient's parent or guardian shall purchase or possess medical marijuana for a nonemancipated qualifying patient under the age of eighteen. A parent or guardian shall supervise the administration of medical marijuana to a nonemancipated qualifying patient under the age of eighteen.

~~[(14)]~~ (13) Nothing in this section shall be construed as mandating health insurance coverage of medical marijuana for qualifying patient use.

~~[(15)]~~ (14) Real and personal property used in the cultivation, manufacture, transport, testing, distribution, sale, and administration of marijuana for medical use or for activities otherwise in compliance with this section shall not be subject to asset forfeiture solely because of that use.

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(15) Unless a failure to do so would cause an employer to lose a monetary or licensing-related benefit under federal law, an employer may not discriminate against a person in hiring, termination or any term or condition of employment or otherwise penalize a person, if the discrimination is based upon either of the following:

(a) The person's status as a qualifying patient or primary caregiver who has a valid identification card, including the person's legal use of a lawful marijuana product off the employer's premises during nonworking hours, unless the person was under the influence of medical marijuana on the premises of the place of employment or during the hours of employment; or

(b) A positive drug test for marijuana components or metabolites of a person who has a valid qualifying patient identification card, unless the person used, possessed, or was under the influence of medical marijuana on the premises of the place of employment or during the hours of employment.

Nothing in this subdivision shall apply to an employee in a position in which legal use of a lawful marijuana product affects in any manner a person's ability to perform job-related employment responsibilities or the safety of others, or conflicts with a bona fide occupational qualification that is reasonably related to the person's employment.

(16) The enactment of section 2 of this Article and concurrent amendments to section 1 of this Article shall have no effect upon any valid contract, claim, or cause of action instituted prior to the effective date of this section.

8. Federal Legalization.

If federal law, rules, or regulations are amended to allow the interstate commerce of marijuana or marijuana-infused products or the importation or exportation of marijuana or marijuana-infused products into or out of the state of Missouri, the provisions and intent of this section shall, to the extent possible, remain in full effect, unless explicitly preempted by such federal law, rule, or regulation. If federal law, rules, or regulations are amended as provided above, any marijuana or marijuana-infused products imported into this state shall be subject to the same testing standards and seed to sale tracking system required under this section for marijuana and marijuana-infused products produced within the state. Unless federal law, rules, or regulations explicitly require otherwise, no entity shall sell, transport, produce, distribute, deliver, or cultivate marijuana or marijuana-infused products without an applicable license or certificate as required under this section. In addition, any raw biomass of marijuana or marijuana flower imported from out-of-state shall be received only by a licensed cultivation facility, while all batch oil, infused marijuana products and any marijuana product in any other form shall be received only by a licensed manufacturing facility.

[8.] 9. Severability.

The provisions of this section are severable, and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by any court of competent jurisdiction, the other provisions shall continue to be in effect to the fullest extent possible.

[9. Effective Date.

The provisions of this section shall become effective on December 6, 2018.]

SECTION 2. MARIJUANA LEGALIZATION, REGULATION, AND TAXATION. — 1. Purpose.

The purpose of this section is to make marijuana legal under state and local law for adults twenty-one years of age or older, and to control the commercial production and distribution of marijuana under a system that licenses, regulates, and taxes the businesses involved while protecting public health. The intent is to prevent arrest and penalty for personal possession and cultivation of limited amounts of marijuana by adults twenty-one years of age or older; remove the

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commercial production and distribution of marijuana from the illicit market; prevent revenue generated from commerce in marijuana from going to criminal enterprises; prevent the distribution of marijuana to persons under twenty-one years of age; prevent the diversion of marijuana to illicit markets; protect public health by ensuring the safety of marijuana and products containing marijuana; and ensure the security of marijuana facilities. To the fullest extent possible, this section shall be interpreted in accordance with the purpose and intent set forth in this section.

This section is not intended to allow for the public use of marijuana, driving while under the influence of marijuana, the use of marijuana in the workplace, or the use of marijuana by persons under twenty-one years of age.

2. Definitions.

(1) "Church" means a permanent building primarily and regularly used as a place of religious worship.

(2) "Comprehensive Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

(3) "Comprehensive Marijuana Cultivation Facility" means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

(4) "Comprehensive Marijuana Dispensary Facility" means a facility licensed by the department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in section 1 of this Article, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and consistent with the limitations of this Article and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana, but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in this Article and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

(5) "Comprehensive Marijuana-Infused Products Manufacturing Facility" means a facility licensed by the department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

(6) "Consumer" means a person who is at least twenty-one years of age.

(7) "Daycare" means a child-care facility, as defined by section 210.201, RSMo., or successor provisions, that is licensed by the state of Missouri.

(8) "Department" means the department of health and senior services, or its successor agency.

(9) "Entity" means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

(10) "Flowering plant" means a marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

(11) "Infused Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

(12) "Local government" means, in the case of an incorporated area, a village, town, or city and, in the case of an unincorporated area, a county.

(13) "Marijuana" or "marihuana" means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp, as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

(14) "Marijuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

(15) "Marijuana Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products manufacturing facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the department pursuant to this section, but shall not include a medical facility licensed under section 1 of this Article.

(16) "Marijuana-Infused Products" means products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

(17) "Marijuana Microbusiness Facility" means a facility licensed by the department as a microbusiness dispensary facility or microbusiness wholesale facility, as defined in this section.

(18) "Microbusiness Dispensary Facility" means a facility licensed by the department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a consumer, qualifying patient, as that term is defined in section 1 of this Article, or primary caregiver, as that term is defined in section 1 of this Article, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of this Article and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet.

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including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

(19) "Microbusiness Wholesale Facility" means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

(20) "Marijuana Testing Facility" means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

(21) "Owner" means an individual who has a financial (other than a security interest, lien, or encumbrance) or voting interest in ten percent or greater of a marijuana facility.

(22) "Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

(23) "Unduly burdensome" means that the measures necessary to comply with the rules or ordinances adopted pursuant to this section subject licensees or potential licensees to such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marijuana facility.

3. Limitations.

(1) Except as otherwise provided in this Article, this section does not preclude, limit, or affect laws that assign liability relative to, prohibit, or otherwise regulate:

(a) Delivery or distribution of marijuana or marijuana accessories, with or without consideration, to a person younger than twenty-one years of age;

(b) Purchase, possession, use, or transport of marijuana or marijuana accessories by a person younger than twenty-one years of age;

(c) Consumption of marijuana by a person younger than twenty-one years of age;

(d) Operating or being in physical control of any motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana. Notwithstanding the foregoing, a conviction of a person who is at least twenty-one years of age for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system;

(e) Consumption of marijuana while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;

(f) Smoking marijuana within a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;

(g) Possession or consumption of marijuana or possession of marijuana accessories on the grounds of a public or private preschool, elementary or secondary school, institution of higher education, in a school bus, or on the grounds of any correctional facility;

(h) Smoking marijuana in a location where smoking tobacco is prohibited;

(i) Consumption of marijuana in a public place, other than in an area licensed by the authorities having jurisdiction over the licensing and/or permitting of said activity, as set forth in subsection 5 of this section;

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(j) Conduct that endangers others;

(k) Undertaking any task while under the influence of marijuana, if doing so would constitute negligence, recklessness, or professional malpractice; or

(l) Performing solvent-based extractions on marijuana using solvents other than water, glycerin, propylene glycol, vegetable oil, or food-grade ethanol, unless licensed for this activity by the department.

(2) This section does not limit any privileges, rights, immunities, or defenses of a person or entity as provided in section 1 of this Article, or any other law of this state allowing for or regulating marijuana for medical use.

(3) This section does not require an employer to permit or accommodate conduct otherwise allowed by this section in any workplace or on the employer's property. This section does not prohibit an employer from disciplining an employee for working while under the influence of marijuana. This section does not prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because that person was working while under the influence of marijuana.

(4) This section allows an entity to prohibit or otherwise limit the consumption, cultivation, distribution, processing, sale, or display of marijuana, marijuana-infused products, and marijuana accessories on private property the entity owns, leases, occupies, or manages, except that a lease agreement executed after the effective date of this section may not prohibit a tenant from lawfully possessing and consuming marijuana by means other than smoking.

(5) The enactment of this section and all concurrent amendments to section 1 of this Article shall have no effect upon any valid contract, claim, or cause of action instituted prior to the effective date of this section.

4. Regulation of Marijuana.

(1) In carrying out the implementation of this section and as conditioned herein, the department shall have the authority to:

(a) Grant or refuse state licenses for the cultivation, manufacture, dispensing, and sale of marijuana; suspend, restrict, or revoke such licenses upon a violation of this section or a rule promulgated pursuant to this section; and impose any reasonable administrative penalty authorized by this section or any general law enacted or rule promulgated pursuant to this section, so long as any procedure related to a suspension or revocation includes a reasonable cure period, not less than thirty days, prior to the suspension or revocation, except in instances where there is a credible and imminent threat to public health or public safety;

(b) Promulgate rules and emergency rules necessary for the proper regulation and control of the cultivation, manufacture, dispensing, and sale of marijuana and for the enforcement of this section so long as such rules are reasonable and not unduly burdensome;

(c) Develop such forms, certificates, licenses, identification cards, and applications as are necessary for, or reasonably related to, the administration of this section or any of the rules promulgated under this section;

(d) Require a seed-to-sale tracking system that tracks marijuana from either the seed or immature plant stage until the marijuana or marijuana-infused product is sold to a qualified patient, primary caregiver, or consumer to ensure that no marijuana grown by a medical marijuana cultivation facility, comprehensive marijuana cultivation facility, or microbusiness wholesale facility, or manufactured by a medical marijuana-infused products manufacturing facility, a comprehensive marijuana-infused products manufacturing facility, or a microbusiness wholesale facility is sold or otherwise transferred to a consumer, qualified patient, or primary caregiver except

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by a medical marijuana dispensary facility, a comprehensive dispensary facility, or a microbusiness dispensary facility. The department shall certify all commercially available tracking systems that are compliant with its tracking standards and issue standards for the creation or use of other systems by licensees;

(e) Issue standards for the secure transportation of marijuana and marijuana-infused products. The department shall certify entities that demonstrate compliance with its transportation standards to transport marijuana and marijuana-infused products to or from a comprehensive facility, medical facility, microbusiness facility, another entity with a transportation certification, or any entity licensed pursuant to paragraph (g) of this subdivision. The department shall develop or adopt from any other governmental agency such safety and security standards as are reasonably necessary for the transportation and temporary storage of marijuana and marijuana-infused products. Any entity licensed or certified pursuant to this section shall be allowed to transport its own inventory and products in compliance with department transportation rules and store marijuana and marijuana-infused products for the purposes related to transportation in compliance with department regulations on secure storage of marijuana and marijuana-infused products;

(f) Promulgate rules and emergency rules specific to the licensing, regulation, and oversight of marijuana microbusiness facilities;

(g) Provide for the issuance of additional types or classes of licenses to operate marijuana-related businesses that:

- (i) allow for only transportation, delivery, or storage of marijuana; or
- (ii) are intended to facilitate scientific research or education.

(h) Prepare and transmit annually a publicly available report accounting to the governor, the general assembly, and the public for the efficient discharge of all responsibilities assigned to the department under this section. The report shall provide aggregate data for each type of license (medical, comprehensive, and microbusiness) and facility (dispensary, cultivation, manufacturers, wholesalers.) Only non-identifying information shall be provided regarding any marijuana facility owners;

(i) Establish a lottery selection process to select comprehensive facility licenses, certificate holders, marijuana microbusiness licensees, but not medical facility licensees that are converting to comprehensive licenses pursuant to this subsection. To become eligible for any license lottery selection process, an owner cannot have pleaded guilty or been found guilty of a disqualifying felony, as that term is defined in subsection 9 of this section.

(j) In developing a lottery selection process to award licenses and certificates, the department may consult or contract with other public agencies with relevant expertise.

(k) While not required as a prerequisite to participation in a comprehensive license lottery, every comprehensive license applicant shall submit to the department a voluntary plan to promote and encourage participation in the regulated marijuana industry by people from communities that have been disproportionately impacted by marijuana prohibition. The plan may include strategies to address geographical defined communities that have been disproportionately impacted by marijuana prohibition; provide for ownership opportunities for disproportionately impacted communities; and provide for employment, supplier, and vendor opportunities for individuals and businesses in communities that have been disproportionately impacted by marijuana prohibition. If licensed, any voluntary applicant plan shall be enforceable by the department.

(l) Notwithstanding other grants of authority herein, neither the department nor any governmental body may restrict the production or use of marijuana and marijuana-infused products based solely upon THC content.

(m) Set a limit on the amount of marijuana that may be purchased in a single transaction provided that limit is not less than three ounces of dried, unprocessed marijuana, or its equivalent.

(n) Regulate the advertising and promotion of marijuana sales, but any such regulation shall be no more stringent than comparable state regulations on the advertising and promotion of alcohol sales.

(2) The department shall issue, at a minimum, the same number of comprehensive marijuana cultivation facility licenses as were authorized or issued for medical marijuana cultivation facilities under section 1 of this Article as of December 7, 2022, the same number of comprehensive marijuana-infused products manufacturing facility licenses as were authorized or issued for medical marijuana-infused products manufacturing facilities under section 1 of this Article as of December 7, 2022, the same number of comprehensive marijuana dispensary facility licenses with the same congressional distribution requirements as were authorized or issued for medical marijuana dispensary facilities under section 1 of this Article as of December 7, 2022, in addition to the minimum number of marijuana microbusiness licenses as are required under this section. The department may lift or ease any limit on the number of licensees or certificate holders in order to meet the demand for marijuana in the state and to ensure a competitive market while also preventing an over-concentration of marijuana facilities within the boundaries of any particular local government.

(3) If comprehensive facility licenses become available because the number of total issued licenses in any respective category falls below the minimum required under this section or the department determines more comprehensive facility licenses are necessary to meet the requirements of subdivision (2) of this subsection, the department shall award by lottery at least fifty percent of any new licenses available to satisfy the minimum requirement to applicants who are owners of a marijuana microbusiness facility that has been in operation for at least one year and is in good standing with the department and is otherwise qualified for the license.

(4) The department may issue any rules or emergency rules necessary for the implementation and enforcement of this section and to ensure the right to, availability, and safe use of marijuana by consumers. In developing such rules or emergency rules, the department may consult or contract with other public agencies. In addition to any other rules or emergency rules necessary to carry out the mandates of this section, the department shall issue rules or emergency rules relating to the following subjects:

(a) Procedures for issuing a license and for renewing, suspending, and revoking a license, so long as any procedure related to a suspension or revocation includes a reasonable cure period, not less than thirty days, prior to the suspension or revocation, except in instances where there is a credible and imminent threat to public health or public safety;

(b) Requirements and standards for safe cultivation, processing, and distribution of marijuana and marijuana-infused products by marijuana facilities, including health standards to ensure the safe preparation of marijuana-infused products;

(c) Testing, packaging, and labeling standards, procedures, and requirements for marijuana and marijuana-infused products and a requirement that a representative sample of marijuana be tested by a marijuana testing facility to ensure public health;

(d) Labeling standards that protect public health by requiring the listing of pharmacologically active ingredients, including, but not limited to, tetrahydrocannabinol (THC), cannabidiol (CBD), and other cannabinoid content, the THC and other cannabinoid amount in milligrams per serving, the number of servings per package, and quantity limits per sale to comply with the allowable possession amount;

(e) Requirements that packaging and labels shall not be made to be attractive to children, required warning labels, and that marijuana and marijuana-infused products be sold in resealable, child-resistant packaging to protect public health;

(f) Security requirements, including lighting, physical security, and alarm requirements, and requirements for securely transporting marijuana between marijuana facilities;

(g) Record keeping requirements for marijuana facilities and monitoring requirements to track the transfer of marijuana by licensees;

(h) A plan to promote and encourage ownership and employment in the marijuana industry by people from political subdivisions and districts that are economically distressed and to positively impact those political subdivisions and districts;

(i) Administrative penalties as authorized by this section for failure to comply with any rule promulgated pursuant to this section or for any violation of rules and regulations adopted pursuant to this section by a licensee, including authorized administrative fines and suspension, revocation, or restriction of a license. The licensee may choose to challenge any penalties imposed by the department through the administrative hearing commission, or its successor entity. Pursuant to section 536.100, RSMo, or its successor provisions, any licensee who has exhausted all administrative remedies provided by law and who is aggrieved by a final decision in a contested case is entitled to judicial review;

(j) Reporting and transmittal of tax payments required under this section;

(k) Authorization for the department of revenue to have access to licensing information to ensure tax payment and the effective administration of this section; and

(l) Such other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this section.

(5) The department shall issue rules or emergency rules for a marijuana and marijuana-infused products independent testing and certification program for marijuana facility licensees and requiring licensees to test marijuana using one or more impartial, independent laboratory or laboratories to ensure, at a minimum, correct labeling, potency measurement, and that products sold for human consumption do not contain contaminants that are potentially injurious to public health.

(6) The department shall issue rules or emergency rules to provide for the certification of and standards for marijuana testing facilities, including the requirements for equipment and qualifications for personnel, but shall not require certificate holders to have any federal agency licensing or have any relationship with a federally licensed testing facility. No marijuana testing facility shall be owned by an entity or entities under substantially common control, ownership, or management as a marijuana cultivation facility, marijuana-infused products manufacturing facility, marijuana microbusiness facility, or marijuana dispensary facility.

(7) All public records produced or retained pursuant to this section are subject to the general provisions of the Missouri Sunshine Law, chapter 610, RSMo, or its successor provisions. Notwithstanding the foregoing, public records containing proprietary business information obtained from an applicant or licensee shall be closed. The applicant or licensee shall label business information it believes to be proprietary prior to submitting it to the department. Proprietary business information shall include sales information, financial records, tax returns, credit reports, license applications, cultivation information unrelated to product safety, testing results unrelated to product safety, site security information and plans, and individualized consumer information. The presence of proprietary business information shall not justify the closure of public records:

(a) Identifying the applicant or licensee;

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(b) Relating to any citation, notice of violation, tax delinquency, or other enforcement action;

(c) Relating to any public official's support or opposition relative to any applicant, licensee, or their proposed or actual operations;

(d) Where disclosure is reasonably necessary for the protection of public health or safety; or

(e) That are otherwise subject to public inspection under applicable law.

(8) Within one hundred and eighty days of the effective date of this section, the department shall make available to the public license application forms and application instructions for marijuana microbusiness facilities. Within two hundred and seventy days of the effective date of this section, the department shall start accepting such applications from applicants.

(9) An entity may apply to the department for and obtain one or more licenses to grow marijuana as a comprehensive marijuana cultivation facility. Each facility in operation shall require a separate license, but multiple licenses may be utilized in a single facility. Each indoor facility utilizing artificial lighting may be limited by the department to thirty thousand square feet of flowering plant canopy space. Each outdoor facility utilizing natural lighting may be limited by the department to two thousand eight hundred flowering plants. Each greenhouse facility using a combination of natural and artificial lighting may be limited by the department, at the election of the licensee, to two thousand eight hundred flowering plants or thirty thousand square feet of flowering plant canopy. The license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a non-refundable fee of twelve thousand dollars per license application or renewal for all applicants filing an application within three years of the effective date of this section and shall charge each applicant a non-refundable fee of five thousand dollars per license application or renewal thereafter. Once granted, the department shall charge each licensee an annual fee of twenty-five thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. An entity may not be an owner of more than ten percent of the total marijuana cultivation facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(10) An entity may apply to the department for and obtain one or more licenses to operate a comprehensive marijuana dispensary facility. Each facility in operation shall require a separate license. A license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a non-refundable fee of seven thousand dollars per license application or renewal for each applicant filing an application within three years of the effective date of this section and shall charge each applicant a non-refundable fee of three thousand dollars per license application or renewal thereafter. Once granted, the department shall charge each licensee an annual fee of ten thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. An entity may not be an owner of more than ten percent of the total marijuana dispensary facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(11) An entity may apply to the department for and obtain one or more licenses to operate a comprehensive marijuana-infused products manufacturing facility. Each facility in operation shall require a separate license. A license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a non-

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refundable fee of seven thousand dollars per license application or renewal for each applicant filing an application within three years of the effective date of this section and shall charge each applicant a non-refundable fee of three thousand dollars per license application or renewal thereafter. Once granted, the department shall charge each licensee an annual fee of ten thousand dollars per facility license. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. An entity may not be an owner of more than ten percent of the total marijuana-infused products manufacturing facility licenses outstanding under both sections 1 and 2 of this Article at any given time, rounded down to the nearest whole number.

(12) An entity may apply to the department for and obtain only one license to operate a marijuana microbusiness facility, which may be either a microbusiness dispensary facility or a microbusiness wholesale facility. A marijuana microbusiness facility licensee may engage in all of the activities allowed under the license or it may apply for and engage in a subset of the activities allowed if the applicant or license holder so chooses. A microbusiness wholesale facility may cultivate, process, manufacture, transport, and sell marijuana and marijuana-infused products to any other marijuana microbusiness facility. A microbusiness dispensary facility licensee may acquire from any other microbusiness facility, process, package, deliver, and sell marijuana and marijuana-infused products to any other marijuana microbusiness facility, or directly to qualified patients, their primary caregiver, or consumers. A marijuana microbusiness license shall be valid for three years from its date of issuance and shall be renewable, except for good cause. The department shall charge each applicant a fee of one thousand five hundred dollars per license application and for each subsequent license renewal application thereafter. Any applicant that meets the criteria to apply for a marijuana microbusiness facility license but is not chosen by the lottery system may have their application fee refunded. Once granted, the department shall charge each licensee an annual fee of one thousand five hundred dollars per facility license, but there shall be no annual fee assessed for the first year of licensure. Application and license fees shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency. An entity may not be an owner of more than one marijuana microbusiness facility license. An owner of a marijuana microbusiness facility may not also be an owner of another licensed marijuana facility or medical facility regulated under this Article. However, the owner of a marijuana microbusiness facility may apply for a license or licenses for other marijuana or medical marijuana facilities under this Article. If granted one or more of these licenses, the marijuana microbusiness facility owner shall transition to other licensed operations on a reasonably practical timetable established by the department, and surrender its marijuana microbusiness facility license to the department for issuance to an applicant for a marijuana microbusiness facility. In addition to other requirements established by this section, an applicant for a marijuana microbusiness license shall be majority owned by individuals who each meet at least one of the following qualifications:

(a) Have a net worth of less than \$250,000 and have had an income below two hundred and fifty percent of the federal poverty level, or successor level, as set forth in the applicable calendar year's federal poverty income guidelines published by the U.S. Department of Health and Human Services or its successor agency, for at least three of the ten calendar years prior to applying for a marijuana microbusiness facility license; or

(b) Have a valid service-connected disability card issued by the United States Department of Veterans Affairs, or successor agency; or

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(c) Be a person who has been, or a person whose parent, guardian or spouse has been arrested for, prosecuted for, or convicted of a non-violent marijuana offense, except for a conviction involving provision of marijuana to a minor, or a conviction of driving under the influence of marijuana. The arrest, charge, or conviction must have occurred at least one year prior to the effective date of this section; or

(d) Reside in a ZIP code or census tract area where:

(i) Thirty percent or more of the population lives below the federal poverty level; or

(ii) The rate of unemployment is fifty percent higher than the state average rate of unemployment; or

(iii) The historic rate of incarceration for marijuana-related offenses is fifty percent higher than the rate for the entire state; or

(e) Graduated from a school district that was unaccredited, or had a similar successor designation, at the time of graduation, or has lived in a zip code containing an unaccredited school district, or similar successor designation, for three of the past five years.

(13) The department may restrict the aggregate number of licenses granted for marijuana microbusiness facilities, provided, however, that the number may not be limited to fewer than the following number of licenses in each United States congressional district in the state of Missouri pursuant to the map of each of the eight congressional districts as drawn and effective on December 6, 2018:

(a) Six, once the department begins issuing licenses for marijuana microbusiness facilities under this subsection, at least two of which shall be a microbusiness dispensary facility, and at least four of which will be a microbusiness wholesale facility. The department shall issue the first group of microbusiness licenses no later than three hundred days after the effective date of this section;

(b) An additional six following the first two hundred and seventy days after the department begins issuing licenses for marijuana microbusiness facilities under this subsection, at least two of which shall be a microbusiness dispensary facility, and at least four of which will be a microbusiness wholesale facility, but only after the chief equity officer, or his or her designee, conducts a review and certifies that previous microbusiness licenses were awarded to and are being operated by eligible applicants in good standing; and

(c) An additional six after the first five hundred and forty-eight days after the department begins issuing licenses for marijuana microbusiness facilities under this subsection, at least two of which shall be a microbusiness dispensary facility, and at least four of which will be a microbusiness wholesale facility, but only after the chief equity officer, or his or her designee, conducts a review and certifies that previous microbusiness licenses were awarded to and are being operated in good standing by eligible applicants.

Future changes to the boundaries or the number of congressional districts shall have no impact on microbusiness license numbers or distribution. The eligibility review set forth in this subdivision shall be conducted by the chief equity officer within sixty days of issuance of the licenses. The chief equity officer shall publish in a manner available to the public the results of the review that contains only aggregate information on licensee eligibility criteria.

(14) Within 60 days after the effective date of this section, the department shall appoint a chief equity officer. The chief equity officer shall assist with the development and implementation of programs to inform the public of the opportunities available to those people who meet the criteria set forth in paragraph (12) of this subsection. The chief equity officer shall establish public education programming and targeted technical assistance programming dedicated to providing communities that have been impacted by marijuana prohibition with information detailing the

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licensing process and informing individuals of the support and resources that the office can provide to individuals and entities interested in participating in activity licensed under this Article. The chief equity officer shall provide a report to the department, no later than January 1, 2024, and annually thereafter, of their and the department's activities in ensuring compliance with the applicant criteria set forth in paragraph (12) of this subsection, and the department shall provide such report to the legislature. The chief equity officer may only be removed for cause and the department shall not interfere with the officer's lawful official activities under this section.

(15) Any medical marijuana cultivation facility, medical marijuana dispensary facility, and medical marijuana-infused products manufacturing facility, holding an active facility license under section 1 of this Article shall have the right to convert their license to a comprehensive marijuana license, and any entity certified by the department to conduct medical marijuana testing, transportation or seed-to-sale tracking, as of the effective date of this section shall be deemed certified to conduct those activities with respect to all marijuana;

(16) Upon the effective date of this section, any existing medical facility licensee may request its medical facility license convert to that of a comprehensive facility license. Conversion requests not processed within sixty days of department receipt shall be deemed approved.

(17) With the exception of microbusiness licenses, and consistent with any limitations set forth in this section, for the first five hundred and forty-eight days after the department begins issuing licenses for marijuana facilities under this section, the department may only issue a license:

(a) For a comprehensive marijuana cultivation facility to an entity holding a medical marijuana cultivation facility license issued pursuant to section 1 of this Article seeking to convert its licensure to that of a comprehensive marijuana cultivation facility at the same location;

(b) For a comprehensive marijuana dispensary facility to an entity holding a medical marijuana dispensary facility license issued pursuant to section 1 of this Article seeking to convert its licensure to that of a comprehensive marijuana dispensary facility at the same location; and

(c) For a comprehensive marijuana-infused products manufacturing facility to an entity holding a medical marijuana-infused products manufacturing facility license issued pursuant to section 1 of this Article seeking to convert its licensure to that of a comprehensive marijuana-infused products manufacturing facility at the same location.

(18) The department shall issue a license to each request for a conversion to a comprehensive marijuana facility license pursuant to subdivision (15) of this subsection if the applicant is in good standing with the department.

(19) Notwithstanding the provisions of section 1 of this Article, if an existing medical marijuana dispensary facility is located in a jurisdiction that prohibits non-medical retail marijuana facilities under this section, or is otherwise prevented from operating a comprehensive marijuana dispensary facility at the same location as the existing medical marijuana dispensary facility, the medical marijuana dispensary facility may apply to the department for a comprehensive marijuana dispensary license pursuant to subdivision (15) of this subsection in a new location within the same congressional district, and such application shall be granted so long as the new location meets all the requirements of this section and department regulations.

(20) In addition to the foregoing, if the department has reason to believe that the conversion of a medical facility into a comprehensive facility might limit or restrict access to an adequate supply of marijuana and marijuana-infused products at a reasonable cost to qualifying patients, as defined in section 1 of this Article, the department may request a plan from the medical facility licensee which explains how the applicant would serve both the medical and adult-use markets, while maintaining adequate supply at a reasonable cost to qualifying patients.

(21) Comprehensive marijuana facilities licensed to distribute marijuana, marijuana-infused products, and marijuana accessories directly to consumers pursuant to this section may also distribute marijuana, marijuana-infused products, and marijuana accessories to qualifying patients and primary caregivers consistent with section 1 of this Article and department regulation.

(22) The department may charge a fee not to exceed two thousand five hundred dollars for any certification issued pursuant to this section. This fee limitation shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency.

(23) Within thirty days of December 8, 2022, the department shall make available to the public application forms and application instructions for personal cultivation registration cards. Within sixty days of December 8, 2022, the department shall begin accepting applications for such registration cards.

(24) Except for good cause, a person at least twenty-one years of age may obtain a registration card from the department to cultivate up to six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall) for non-commercial use, provided:

(a) The plants and any marijuana produced by the plants in excess of three ounces are kept at one private residence, are in a locked space, and are not visible by normal, unaided vision from a public place; and

(b) Not more than twelve flowering marijuana plants are kept in or on the grounds of a private residence at one time.

The card shall be valid for twelve months from its date of issuance and shall be renewable. The department shall charge an annual fee for the card of one hundred dollars, with such rate to be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency.

(25) All marijuana sold in Missouri pursuant to this section shall be cultivated in Missouri.

(26) All marijuana-infused products sold in Missouri pursuant to this section shall be manufactured in Missouri.

(27) The denial of a license or license renewal by the department shall be appealable. The applicant may choose to challenge any denial by the department through the administrative hearing commission, or successor entity. Pursuant to section 536.100, RSMo, or its successor provisions, any licensee who has exhausted all administrative remedies provided by law and who is aggrieved by a final decision in a contested case is entitled to judicial review.

(28) No elected official shall interfere directly or indirectly with the department's obligations and activities under this section.

(29) To minimize the potential for undue political influence in awarding licenses, the department shall review license applications using reasonable safeguards that ensure the identity of the applicant and its principal owners, officers, and managers are not identified to the application reviewer.

(30) To ensure the consistent protection of public health and public safety, the department shall have the sole authority within the state of Missouri to issue licenses for marijuana facilities and certifications pursuant to this section.

(31) The department shall not have the authority to promulgate, apply, or enforce any rule or regulation that is unduly burdensome or act to undermine the purposes of this section.

5. Local Control.

(1) (a) Except as provided in this subsection, a local government may prohibit the operation of all microbusiness dispensary facilities or comprehensive marijuana dispensary facilities regulated under this section from being located within its jurisdiction either through referral of a ballot question to the voters by the governing body or through citizen petition, provided that citizen petitions are otherwise generally authorized by the laws of the local government. Such a ballot question shall be voted on only during the regularly scheduled general election held on the first Tuesday after the first Monday in November of a presidential election year, starting in 2024, thereby minimizing additional local governmental cost or expense. A citizen petition to put before the voters a ballot question prohibiting microbusiness dispensary facilities or comprehensive marijuana dispensary facilities shall be signed by at least five percent of the qualified voters in the area proposed to be subject to the prohibition, determined on the basis of the number of votes cast for governor in such locale at the last gubernatorial election held prior to the filing of the petition. The local government shall count the petition signatures and give legal notice of the election as provided by applicable law. Denial of ballot access shall be subject to judicial review.

(b) Whether submitted by the governing body or by citizen's petition, the question shall be submitted in the following form: "Shall (insert name of local government) ban all non-medical microbusiness dispensary facilities and comprehensive marijuana dispensary facilities from being located within (insert name of local government and, where applicable, its "unincorporated areas") and forgo any additional related local tax revenue? () Yes () No." If at least sixty percent of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ban shall go into effect as provided by law. If a question receives less than the required sixty percent, then the jurisdiction shall have no power to ban non-medical microbusiness dispensary facilities or comprehensive marijuana facilities regulated under this section, unless voters at a subsequent general election on the first Tuesday after the first Monday in November of a presidential election year approve a ban on non-medical retail marijuana facilities submitted to them by the governing body or by citizen petition.

(2) (a) A local government may repeal an existing ban by its own ordinance or by a vote of the people, either through referral of a ballot question to the voters by the governing body or through citizen petition, provided that citizen petitions are otherwise generally authorized by the laws of the local government. In the case of a referral of a ballot question by the governing body or citizen petition to repeal an existing ban, the question shall be voted on only during the regularly scheduled general election held on the first Tuesday after the first Monday in November of a presidential election year. A citizen petition to put before the voters a ballot question repealing an existing ban shall be signed by at least five percent of the qualified voters in the area subject to the ban, determined on the basis of the number of votes cast for governor in such locale at the last gubernatorial election held prior to the filing of the petition. The local government shall count the petition signatures and give legal notice of the election as provided by applicable law. Denial of ballot access shall be subject to judicial review.

(b) Whether submitted by the governing body or by citizen's petition, the question shall be submitted in the following form: "Shall (insert name of local government) allow non-medical microbusiness dispensary facilities and comprehensive marijuana dispensary facilities to be located within (insert name of local government and where applicable, its "unincorporated areas") as regulated by state law? () Yes () No." If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ban shall be repealed.

(3) The only local government ordinances and regulations that are binding on a marijuana facility are those of the local government where the marijuana facility is located.

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(4) Unless allowed by the local government, no new marijuana facility shall be initially sited within one thousand feet of any then-existing elementary or secondary school, child day-care center, or church. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

(5) Except as otherwise provided in this subsection, no local government shall prohibit marijuana facilities or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing the time, place, and manner of operation of such facilities in the locality. A local government may establish civil penalties for violation of an ordinance or regulations governing the time, place, and manner of operation of a marijuana facility or entity holding a transportation certification that may operate in such locality.

(6) Local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing:

(a) the time and place where marijuana may be smoked in public areas within the locality; and

(b) the consumption of marijuana-infused products within designated areas, including the preparation of culinary dishes or beverages by local restaurants for on-site consumption on the same day it is prepared.

6. Taxation and Reporting.

(1) A tax shall be levied upon the retail sale of non-medical marijuana sold to consumers at marijuana facilities licensed pursuant to this section within the state. The tax shall be at a rate of six percent of the retail price. The tax shall be collected by each licensed retail marijuana facility and paid to the department of revenue. After retaining no more than two percent of the total tax collected or its actual collection costs, whichever is less, amounts generated by the marijuana tangible personal property retail sales tax levied in this section shall be deposited by the department of revenue into the "Veterans, Health, and Community Reinvestment Fund" created under this subsection. Licensed entities making non-medical retail sales within the state shall be allowed approved credit for returns provided the tax was paid on the returned item and the purchaser was given the refund or credit. This tax shall not apply to medical marijuana dispensed to a registered qualifying patient or caregiver.

(2) There is hereby created in the state treasury the "Veterans, Health, and Community Reinvestment Fund" which shall consist of taxes and fees collected under this section. The state treasurer shall be custodian of the fund, and he or she shall invest monies in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. Notwithstanding any other provision of law, any monies remaining in the

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fund at the end of a biennium shall not revert to the credit of the general revenue fund. The commissioner of administration is authorized to make cash operating transfers to the fund for purposes of meeting the cash requirements of the department in advance of it receiving application, licensing, and tax revenue, with any such transfers to be repaid as provided by law. The fund shall be a dedicated fund and shall be distributed as follows:

(a) First, as determined by appropriation, to the department an amount necessary for the department to carry out its responsibilities under this section, including repayment of any cash operating transfers, payments made through contract or agreement with other state and public agencies necessary to carry out this section, and a reserve fund to maintain a reasonable working cash balance for the purpose of carrying out this section;

(b) Second, as determined by appropriation, to governmental entities in amounts necessary for carrying out responsibilities in the expungement of criminal history records under this section;

(c) Next, the remaining fund balance shall be distributed in thirds as follows:

(i) One-third of the remainder of the fund balance shall be transferred to the Missouri veterans commission and allied state agencies, as determined by appropriation, exclusively for health care and other services for military veterans and their dependent families;

(ii) One-third of the remainder of the fund balance to the department to provide grants to agencies and not-for-profit organizations, whether government or community-based, to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for those with substance use disorders. Agencies and organizations serving populations with the highest rates of drug-related overdose shall be prioritized to receive the grants; and

(iii) One-third of the remainder of the fund balance to the Missouri public defender system. Any moneys credited to the Missouri public defender system shall be used only for legal assistance for low-income Missourians, shall not be diverted to any other purpose.

(d) All monies from the taxes and fees authorized hereunder shall provide new and additional funding for the purposes enumerated above and shall not replace existing funding.

(e) The unexpended balance existing in the fund shall be exempt from the provisions of section 33.080, RSMo, or its successor provisions, relating to the transfer of unexpended balances to the general revenue fund.

(3) For all retail sales of marijuana, a record shall be kept by the seller of all amounts and types of marijuana involved in the sale and the total amount of money involved in the sale, including itemizations, taxes collected, and grand total sale amounts. All such records shall be kept on the premises in a readily available format and be made available for review by the department and the department of revenue upon request. Such records shall be retained for five years from the date of the sale.

(4) The tax levied pursuant to this subsection is separate from and in addition to any general state and local sales and use taxes that apply to retail sales, which shall continue to be collected and distributed as provided by general law.

(5) Pursuant to Article III, section 49 of this Constitution, the governing body of any local government is authorized to impose, by ordinance or order, an additional sales tax in an amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision. The tax authorized by this paragraph shall be in addition to any and all other tangible personal property retail sales taxes allowed by law, except that no ordinance or order imposing a tangible personal property retail sales tax under the provisions of this paragraph

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shall be effective unless the governing body of the political subdivision submits to the voters of the political subdivision, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the political subdivision to impose a tax. Any additional local retail sales tax shall be collected pursuant to general laws for the collection of local sales taxes.

(6) Except as authorized in this Article, no additional taxes shall be imposed on the sale of marijuana.

(7) The fees and taxes provided for in this section shall be fully enforceable notwithstanding any other provision in this Constitution purportedly prohibiting or restricting the taxes and fees provided for herein.

(8) For taxpayers authorized to do business pursuant to this Article, the amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 280E of the Internal Revenue Code as in effect on January 1, 2021, or successor provisions, but is disallowed because cannabis is a controlled substance under federal law, shall be subtracted from the taxpayer's federal adjusted gross income, in determining the taxpayer's Missouri adjusted gross income.

7. Additional Protections.

(1) A marijuana testing facility shall not be subject to civil or criminal prosecution under Missouri law, denial of any right or privilege, civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission for providing laboratory testing services that relate to marijuana consistent with this section and otherwise meeting legal standards of professional conduct.

(2) Notwithstanding any provision of Article V to the contrary, an attorney shall not be subject to disciplinary action by the Supreme Court of Missouri, the office of chief disciplinary counsel, the state bar association, any state agency or any professional licensing body for any of the following:

(a) owning, operating, investing in, being employed by, or contracting with prospective or licensed marijuana testing facilities, marijuana cultivation facilities, marijuana dispensary facilities, marijuana-infused products manufacturing facilities, marijuana microbusiness facilities, or transportation certificate holders;

(b) counseling, advising, and/or assisting a client in conduct permitted by Missouri law that may violate or conflict with federal or other law, as long as the attorney advises the client about that federal or other law and its potential consequences;

(c) counseling, advising, and/or assisting a client in connection with applying for, owning, operating, or otherwise having any legal, equitable, or beneficial interest in marijuana testing facilities, marijuana cultivation facilities, marijuana dispensary facilities, marijuana-infused products manufacturing facilities, marijuana microbusiness facilities, or transportation certificates; or

(d) counseling, advising or assisting a qualifying patient, primary caregiver, physician, nurse practitioner, health care provider, consumer, or other client related to activity that is no longer subject to criminal penalties under Missouri law pursuant to this Article.

(3) Actions and conduct by marijuana facilities licensed or otherwise certified by the department, or their employees or agents, as permitted by this section and in compliance with department regulations and other standards of legal conduct, shall not be subject to criminal or civil liability or sanctions under Missouri law, except as provided for by this section.

(4) The department may not promulgate a rule that requires a consumer to provide a marijuana facility with identifying information other than identification to determine the consumer's age.

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(5) It is the public policy of the state of Missouri that contracts related to marijuana that are entered into by marijuana facilities and those who allow property to be used by those entities should be enforceable. It is the public policy of the state of Missouri that no contract entered into by marijuana facilities, or by a person who allows property to be used for activities that are exempt from state criminal penalties by this section, shall be unenforceable on the basis that activities related to marijuana may be prohibited by federal law.

(6) Prior to requesting a search or arrest warrant relating to cultivation of marijuana plants, a state or local law enforcement official shall verify with the department whether the targeted person holds a registration card allowing for cultivation of flowering marijuana plants under this section, and shall inform the issuing authority when making the warrant request. Evidence of marijuana alone, without specific evidence indicating that the marijuana is outside of what is lawful for medical or adult use, cannot be the basis for a search of a patient or non-patient, including their home, vehicle or other property. Lawful marijuana related activities cannot be the basis for a violation of parole, probation, or any type of supervised release. State and local law enforcement shall have access to such department information as is necessary to confirm whether the targeted person holds a registration card. Each time a state or local law enforcement officer executes a search warrant authorizing entry upon premises for an alleged marijuana offense, the officer must first knock or announce their presence or purpose prior to entering the premises.

(7) (a) After executing a search warrant for an alleged marijuana offense, or conducting a warrantless search for an alleged marijuana offense, the officer shall report the following information to the agency that employs the officer:

(i) The reasons for the warrant or, in the case of a warrantless search, a detailed account of either the probable cause or exigent circumstances, if any, which lead to the warrantless search;

(ii) Whether any marijuana was discovered during the course of the search;

(iii) Whether any marijuana was seized during the search, and if so, the amount seized;

(iv) Whether any other contraband was discovered or seized in the course of the search, and if seized, a description of the contraband;

(v) A description of the tactics used by law enforcement to enter the property;

(vi) Whether an arrest was made as a result of the search; and

(vii) If an arrest was made, the crime suspected.

(b) Each law enforcement agency shall compile the data described in paragraph (a) of this subdivision for the calendar year into a report and shall submit the report to the attorney general no later than March first of the following calendar year. The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

(c) The attorney general shall submit a summary of the annual reports of law enforcement agencies to the governor, the general assembly, and each law enforcement agency no later than June first of each year. The summary shall include the total number of such warrants executed by each agency in the previous calendar year for alleged marijuana offenses, and a compilation of the information reported by law enforcement agencies pursuant to paragraph (b) of this subdivision.

8. Legislation.

Nothing in this section shall limit the general assembly from enacting laws consistent with the purposes and provisions of this section.

9. Additional Provisions.

(1) No owner of a marijuana facility or entity with a transportation certification shall be an individual with a disqualifying felony offense. A "disqualifying felony offense" is a violation of, and conviction or guilty plea to, state or federal law that is, or would have been, a felony under Missouri law, regardless of the sentence imposed, unless the department determines that:

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(a) The person's conviction was for a marijuana offense that has been expunged or is currently eligible for expungement under this section; or

(b) The person's conviction was for a non-violent crime for which he or she was not incarcerated and that is more than five years old; or

(c) More than five years have passed since the person was released from parole or probation, and he or she has not been convicted of any subsequent felony criminal offenses.

The department may consult with and rely on the records, advice, and recommendations of the attorney general and the department of public safety, or their successor entities, in carrying out the provisions of this subdivision.

(2) Owners licensed pursuant to this section shall submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal record check in accordance with U.S. Public Law 92-544, or its successor provisions. The Missouri state highway patrol, if necessary, shall forward the fingerprints to the Federal Bureau of Investigation (FBI) for the purpose of conducting a fingerprint-based criminal background check. Fingerprints shall be submitted pursuant to section 43.543, RSMo, or its successor provisions, and fees shall be paid pursuant to section 43.530, RSMo, or its successor provisions. Unless otherwise required by law, no individual shall be required to submit fingerprints more than once.

(3) No marijuana facility shall manufacture, package, or label marijuana or marijuana-infused products in a false or misleading manner. No person shall sell any product in a manner designed to cause confusion between marijuana or a marijuana-infused product and any product not containing marijuana. A violation of this subdivision shall be punishable by an appropriate and proportional department sanction, up to and including an administrative penalty of five thousand dollars and loss of license.

(4) No marijuana facility may sell edible marijuana-infused candy in shapes or packages that are attractive to children or that are easily confused with commercially sold candy that does not contain marijuana. A violation of this subdivision shall be punishable by an appropriate and proportional department sanction, up to and including an administrative penalty of five thousand dollars and loss of license.

(5) All marijuana and marijuana-infused products shall be sold in individual, child-resistant containers that are labeled with serving amounts, instructions for use, and estimated length of effectiveness. All marijuana and marijuana-infused products shall be sold in containers clearly and conspicuously labeled, as mandated by the department, as containing "Marijuana" or a "Marijuana-Infused Product." Violation of this subdivision shall subject the violator to department sanctions, including an administrative penalty of five thousand dollars.

(6) A marijuana facility may not allow cultivation, manufacturing, sale, or display of marijuana, marijuana-infused products, or marijuana accessories to be visible from a public place outside of the marijuana facility without the use of binoculars, aircraft, or other optical aids.

(7) A marijuana facility may not cultivate, manufacture, test, sell, or store marijuana at any location other than a physical address approved by the department and within an enclosed area that is secured in a manner that prevents access by persons not permitted by the marijuana facility to access the area.

(8) A marijuana facility shall secure every entrance to the facility so that access to areas containing marijuana is restricted to employees and other persons permitted by the marijuana facility to access the area and to agents of the department or state and local law enforcement officers and emergency personnel and shall secure its inventory and equipment during and after operating hours to deter and prevent theft of marijuana, marijuana-infused products, and marijuana accessories.

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(9) No marijuana facility may refuse representatives of the department the right to inspect the licensed premises or to audit the books and records of the marijuana facility. A facility that holds licenses issued under sections 1 and 2 of this Article shall comply with inspection regulations and standards issued pursuant to both sections.

(10) No marijuana facility, or entity with a certification, shall assign, sell, give, lease, sublicense, or otherwise transfer its license or certificate to any other entity without the express consent of the department, not to be unreasonably withheld.

(11) Real and personal property used in the cultivation, manufacture, transport, testing, distribution, sale, and administration of marijuana for activities otherwise in compliance with this section shall not be subject to asset forfeiture solely because of that use.

(12) No person shall extract resins from marijuana using dangerous materials or combustible gases without a medical marijuana-infused products manufacturing facility license, marijuana-infused products manufacturing facility license, or a marijuana microbusiness wholesale facility license. Violation of this prohibition shall subject the violator to department sanctions, including an administrative penalty of one thousand dollars for an individual and ten thousand dollars for a facility licensee and, if applicable, loss of certificate or license for up to one year.

10. Personal Use of Marijuana.

(1) Subject to the limitations in subsection 3 of this section, the following acts by a person at least twenty-one years of age are not unlawful and shall not be an offense under state law or the laws of any local government within the state or be a basis to impose a civil fine, penalty, or sanction, or be a basis to detain, search, or arrest, or otherwise deny any right or privilege, or to seize or forfeit assets under state law or the laws of any local government:

(a) Purchasing, possessing, consuming, using, ingesting, inhaling, processing, transporting, delivering without consideration, or distributing without consideration three ounces or less of dried, unprocessed marijuana, or its equivalent;

(b) Possessing, transporting, planting, cultivating, harvesting, drying, processing, or manufacturing up to six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall) provided the person is registered with the department for cultivation of marijuana plants under this section, provided:

(i) The plants and any marijuana produced by the plants in excess of three ounces are kept at one private residence, are in a locked space, and are not visible by normal, unaided vision from a public place; and

(ii) Not more than twice the number of allowable plants under paragraph (b) of this subdivision are kept in or on the grounds of a private residence at one time.

(c) Assisting another person who is at least twenty-one years of age in, or allowing property to be used for, any of the acts permitted by this section; and

(d) Purchasing, possessing, using, delivering, distributing, manufacturing, transferring, or selling to persons twenty-one years of age or older marijuana accessories.

(2) A person who, pursuant to this section, cultivates marijuana plants that are visible by normal, unaided vision from a public place is subject to a civil penalty not exceeding two hundred and fifty dollars and forfeiture of the marijuana.

(3) A person who, pursuant to this section, cultivates marijuana plants that are not kept in a locked space is subject to a civil penalty not exceeding two hundred and fifty dollars and forfeiture of the marijuana.

(4) A person who smokes marijuana in a public place, other than in an area licensed for such activity by the authorities having jurisdiction over the licensing and/or permitting of said activity, is subject to a civil penalty not exceeding one hundred dollars.

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(5) A person who is under twenty-one years of age who possesses, uses, ingests, inhales, transports, delivers without consideration or distributes without consideration three ounces or less of marijuana, or possesses, delivers without consideration, or distributes without consideration marijuana accessories is subject to a civil penalty not to exceed one hundred dollars and forfeiture of the marijuana. Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the fine.

(6) Subject to the limitations of this section, a person who possesses not more than twice the amount of marijuana allowed pursuant to this subsection, produces not more than twice the amount of marijuana allowed pursuant to this subsection, delivers without receiving any consideration or remuneration to a person who is at least twenty-one years of age not more than twice the amount of marijuana allowed by this subsection, or possesses with intent to deliver not more than twice the amount of marijuana allowed by this subsection:

(a) For a first violation, is subject to a civil infraction punishable by a civil penalty not exceeding two hundred and fifty dollars and forfeiture of the marijuana;

(b) For a second violation, is subject to a civil infraction punishable by a civil penalty not exceeding five hundred dollars and forfeiture of the marijuana;

(c) For a third or subsequent violation, is subject to a misdemeanor punishable by a fine not exceeding one-thousand dollars and forfeiture of the marijuana;

(d) A person under twenty-one years of age is subject to a civil penalty not to exceed two hundred and fifty dollars. Any such person shall be provided the option of attending up to eight hours of drug education or counseling in lieu of the fine; and

(e) In lieu of payment, penalties under this subsection may be satisfied by the performance of community service. The rate of pay-down associated with said service option will be the greater of \$15 or the minimum wage in effect at the time of judgment.

(7) (a) Any person currently incarcerated in a prison, jail or halfway house, whether by trial or open or negotiated plea:

(i) Who would not have been guilty of an adult or juvenile offense, had sections 1 and 2 of this Article been in effect at the time of the offense; or

(ii) Who would have been guilty of a lesser adult or juvenile offense had sections 1 and 2 of this Article been in effect at the time of the offense; or

(iii) Who is serving a sentence for a marijuana offense which is a misdemeanor, a class E felony, or a class D felony, or successor designations, involving possession of three pounds or less of marijuana, excluding offenses involving distribution or delivery to a minor, any offenses involving violence, or any offense of operating a motor vehicle while under the influence of marijuana;

may petition the sentencing court to vacate the sentence, order immediate release from incarceration and other supervision by the department of corrections, and the expungement of all government records of the case. Such expungement from all government records shall be granted for all of the person's applicable marijuana offenses, absent good cause for denial. The effect of such orders shall be to restore such person to the status the person occupied prior to such arrest, plea or conviction and as if such event had never taken place, and the conviction and sentence shall be vacated as legally invalid. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of the person for any purpose whatsoever, and no such inquiry shall be made for information relating to an expungement. The

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court shall not assess any filing fee for these filings. The office of the state public defender shall prepare and make readily available and accessible a pleading form that may be filed pro se for this purpose. The circuit courts of the state shall also make readily available and accessible this pleading form. Within ninety days of the effective date of this section, the sentencing court shall complete the adjudication for all cases involving only misdemeanor marijuana offenses. Within one hundred and eighty days of the effective date of this section, the sentencing court shall complete the adjudication for all cases involving class E, or successor designation, felony marijuana offenses and, if applicable, any additional marijuana misdemeanor offenses by such offenders. Within two hundred and seventy days of the effective date of this section, the sentencing court shall complete the adjudication for all class D, or successor designation, felony cases involving three pounds or less of marijuana, as well as any lesser marijuana offenses by such offenders, if applicable. This shall not apply to offenses while operating a commercial motor vehicle as defined in 49 CFR 390.5, or its successor provisions, in interstate or intrastate transportation unless otherwise exempted as found in section 307.400, RSMo, or its successor provisions.

(b) Any person currently on probation or parole for a marijuana law violation, whether by trial or open or negotiated plea:

(i) Who would not have been guilty of an adult or juvenile offense, had sections 1 and 2 of this Article been in effect at the time of the offense; or

(ii) Who would have been guilty of a lesser adult or juvenile offense had sections 1 and 2 of this Article been in effect at the time of the offense; or

(iii) Who was convicted or plead guilty to a marijuana offense which is a misdemeanor, a class E felony, or a class D felony, or successor designations, involving the possession of three pounds or less of marijuana, excluding distribution or delivery to a minor or any offense of operating a motor vehicle while under the influence of marijuana;

shall, upon the effective date of this section, have their sentence automatically vacated by the sentencing court, which shall order the immediate termination of supervision by the department of corrections, and the expungement of all government records of the case. Such expungement from all government records shall be granted for all of the person's applicable marijuana offenses, absent good cause for denial. The effect of such orders shall be to restore such person to the status the person occupied prior to such arrest, plea or conviction and as if such event had never taken place, and the conviction and sentence shall be vacated as legally invalid. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of the person for any purpose whatsoever, and no such inquiry shall be made for information relating to an expungement. The court shall not assess any filing fee for these cases. This shall not apply to offenses while operating a commercial motor vehicle as defined in 49 CFR 390.5, or its successor provisions, in interstate or intrastate transportation unless otherwise exempted as found in section 307.400, RSMo, or its successor provisions.

(8) (a) Within six months of the effective date of this section, the circuit courts of this state shall order the expungement of the criminal history records of all misdemeanor marijuana offenses for any person who is no longer incarcerated or under the supervision of the department of corrections. Within twelve months of the effective date of this section, the circuit courts of this state shall order the expungement of criminal history records for all persons no longer incarcerated or under the supervision of the department of corrections but who have completed their sentence

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for any felony marijuana offenses and any marijuana offenses that would no longer be a crime after the effective dates of sections 1 and 2 of this Article, excluding distribution or delivery to a minor, any such offenses involving violence, or any offense of operating a motor vehicle while under the influence of marijuana. For all class A, class B and class C, or successor designations, felony marijuana offenses, and for all class D, or successor designation, felony marijuana offenses for possession of more than three pounds of marijuana, the circuit courts of this state shall order expungement of criminal history records upon the completion of the person's incarceration, including any supervised probation or parole. For the purposes of this subdivision, "criminal history record" means all information documenting an individual's contact with the criminal justice system, including data regarding identification, arrest or citation, arraignment, judicial disposition, custody, and supervision.

(b) An expungement order shall be legally effective immediately and the person whose record is expunged shall be treated in all respects as if he or she had never been arrested, convicted, or sentenced for the offense, and the conviction and sentence shall be vacated as legally invalid. The court shall issue an order to expunge all records and files related to the arrest, citation, investigation, charge, adjudication of guilt, criminal proceedings, and probation related to the sentence. The court shall provide notice of the expungement to the person who is the subject of the record at the person's last known address, the arresting agency, prosecuting attorneys, central state depository of criminal records, and any other entity that may have a record related to the order to expunge. The central state depository of criminal records shall provide notice of the expungement to the Federal Bureau of Investigation's National Crime Information Center, or its successor agency. The court shall issue the person a certificate stating that the offense for which the person was convicted has been expunged and that its effect is to annul the record of arrest, conviction, and sentence.

(c) The effect of such expungement shall be to restore such person to the status the person occupied prior to such arrest, plea, or conviction and as if such event had never taken place. Such person shall not be required to acknowledge the existence of such a criminal history record or answer questions about the record in any application for employment, license, or civil right or privilege or in an appearance as a witness in any proceeding or hearing, and may deny the existence of the record regardless of whether the person has received notice from the court that an expungement order has been issued on the person's behalf.

(d) No person shall be prosecuted again for any offense which has been vacated or expunged.

(e) The court shall keep a special index of cases that have been expunged together with the expungement order and the certificate issued pursuant to this subsection. The index shall list only the name of the person convicted of the offense, his or her date of birth, the docket number, and the criminal offense that was the subject of the expungement. The special index and related documents shall be confidential and shall be physically and electronically segregated in a manner that ensures confidentiality and that limits access to authorized persons. The court may permit special access to the index and the documents for research purposes pursuant to the rules for public access to court records. The index and documents made available by the court may not include any identifying information.

(9) A person currently under parole, probation, or other state supervision, or released awaiting trial or other hearing, may not be punished or otherwise penalized based solely on conduct that is permitted by this section.

(10) No conduct permitted by this section shall constitute the basis for detention, search, or arrest; and except when law enforcement is investigating whether a person is operating a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana, the odor of marijuana or burnt marijuana, the possession or suspicion of possession

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of marijuana without evidence of a quantity in excess of the lawful amount, or the possession of multiple containers of marijuana without evidence of quantity in excess of the lawful amount shall not individually or in combination with each other constitute reasonably articulable suspicion of a crime. Marijuana and marijuana-infused products as permitted by this section are not contraband nor subject to seizure.

(11) A person shall not be denied eligibility in public assistance programs or public benefits based solely on conduct that is permitted by this Article, unless required by federal law.

(12) No person shall be denied their rights under Article 1, section 23 of the Missouri Constitution, solely for conduct that is permitted by this section.

(13) No person shall be denied parental rights, custody of, or visitation with a minor child by a state or local government executive agency based solely on conduct that is permitted by this section, unless the person's behavior is such that it creates an unreasonable danger to a minor child that can be established by clear and convincing evidence.

11. Interstate Commerce.

If federal law, rules, or regulations are amended to allow the interstate commerce of marijuana or marijuana-infused products or the importation or exportation of marijuana or marijuana-infused products into or out of the state of Missouri, the provisions and intent of this section shall, to the extent possible, remain in full effect, unless explicitly preempted by such federal law, rule, or regulation. If federal law, rules, or regulations are amended as provided above, any marijuana or marijuana-infused products imported into this state shall be subject to the same testing standards and seed to sale tracking system required under this section for marijuana and marijuana-infused products produced within the state. Unless federal law, rules, or regulations explicitly require otherwise, no entity shall sell, transport, produce, distribute, deliver, or cultivate marijuana or marijuana-infused products without an applicable license or certificate as required under this section. In addition, any raw biomass of marijuana or marijuana flower imported from out-of-state shall be received only by a licensed cultivation facility, while all batch oil, infused marijuana products and any marijuana product in any other form shall be received only by a licensed manufacturing facility.

12. Severability.

The provisions of this section are severable, and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by any court of competent jurisdiction, the other provisions shall continue to be in effect to the fullest extent possible.

13. Effective Date.

The provisions of this section shall become effective thirty days after the election, as provided by this Constitution.

FOR— 1,092,432; AGAINST— 965,020

November 8, 2022 Election

HJR 116 [HJR 116]

Proposes a constitutional amendment that creates the Missouri Department of the National Guard as a new state agency

CONSTITUTIONAL AMENDMENT NO. 5. — (Proposed by the 101st General Assembly, Second Regular Session, HJR 116)

Official Ballot Title:

Shall the Missouri National Guard currently under the Missouri Department of Public Safety be its own department, known as the Missouri Department of the National Guard, which shall be required to protect the constitutional rights and civil liberties of Missourians?

State governmental entities estimate no savings and ongoing costs of \$132,000 annually. Local governmental entities estimate no costs or savings.

Fair Ballot Language:

A “**yes**” vote will amend the Missouri Constitution to create the Missouri Department of the National Guard as a new state agency, headed by an adjutant general appointed by and serving at the pleasure of the governor by and with the advice and consent of the senate.

A “**no**” vote will not amend the Missouri Constitution regarding the National Guard.

If passed, this measure will have no impact on taxes.

JOINT RESOLUTION Submitting to the qualified voters of Missouri an amendment repealing Section 12 of Article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state department of the national guard.

SECTION

- A. Enacting clause.
- 12. Executive department, composition of — elective officials — departments and offices enumerated.
- 54. Missouri department of the National Guard established — adjutant general, appointment — duties.
- B. Summary statement.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IV of the Constitution of the state of Missouri:

SECTION A. ENACTING CLAUSE. — Section 12, Article IV, Constitution of Missouri, is repealed and two new sections adopted in lieu thereof, to be known as Sections 12 and 54, to read as follows:

SECTION 12. EXECUTIVE DEPARTMENT, COMPOSITION OF — ELECTIVE OFFICIALS — DEPARTMENTS AND OFFICES ENUMERATED. — The executive department shall consist of all state elective and appointive officials and employees except officials and employees of the legislative and judicial departments. In addition to the governor and lieutenant governor there shall be a state auditor, secretary of state, attorney general, a state treasurer, an office of administration, a department of agriculture, a department of conservation, a department of natural resources, a department of elementary and secondary education, a department of higher education, a department of highways and transportation, a department of insurance, a department of labor and industrial relations, a department of economic development, a department of public safety, a department of revenue, a department of social services, **a department of the National Guard**, and a department of mental health. In addition to the elected officers, there shall not be more than ~~[fifteen]~~ **sixteen** departments and the office of administration. The general assembly may create by law two departments, in addition to those named, provided that the departments shall be headed by a director or commission appointed by the governor on the advice and consent of the senate. The director or commission shall have administrative responsibility and authority for the department created by law. Unless discontinued all present or future boards, bureaus, commissions and other agencies of the state exercising administrative or executive authority shall be assigned by law or by the governor as provided by law to the office of administration or to one of the ~~[fifteen]~~ sixteen administrative departments to which their respective powers and duties are germane

SECTION 54. MISSOURI DEPARTMENT OF THE NATIONAL GUARD ESTABLISHED — ADJUTANT GENERAL, APPOINTMENT — DUTIES. — **There shall be established a Missouri Department of the National Guard in charge of the adjutant general appointed by and serving at the pleasure of the governor, by and with the advice and consent of the senate, who shall provide for the state militia, uphold the Constitution of the United States, uphold the Constitution of Missouri, protect the constitutional rights and civil liberties of Missourians, and provide other defense and security mechanisms as may be required.**

SECTION B. SUMMARY STATEMENT. — Pursuant to chapter 116, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri National Guard currently under the Missouri Department of Public Safety be its own department, known as the Missouri Department of the National Guard, which shall be required to protect the constitutional rights and civil liberties of Missourians?"

FOR — 1,197,677; AGAINST — 791,231

SJR 38 [SS No. 2 SJR 38]

Proposes a constitutional amendment that authorizes laws to increase the minimum funding for a police force

CONSTITUTIONAL AMENDMENT NO. 4. — (Proposed by the 101st General Assembly, Second Regular Session, SJR 38)

Official Ballot Title:

Shall the Missouri Constitution be amended to authorize laws, passed before December 31, 2026, that increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities?

State and local governmental entities estimate no additional costs or savings related to this proposal.

Fair Ballot Language:

A **"yes"** vote will amend the Missouri Constitution to allow the general assembly by law to increase the minimum funding for a police force established by the state board of police commissioners to ensure such police force has additional resources to serve its communities. Currently the only police force established by the state board of police commissioners is found in Kansas City, Missouri.

A **"no"** vote will not amend the Missouri Constitution regarding the funding for a police force established by the state board of police commissioners.

If passed, this measure will have no impact on taxes.

JOINT RESOLUTION Submitting to the qualified voters of Missouri, an amendment repealing section 21 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the funding of law enforcement agencies

SECTION

- A. Enacting clause.
- 21. State support to local governments not to be reduced, additional activities and services not to be imposed without full state funding — increase in minimum funding for police force, when.
- B. Summary statement.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article X of the Constitution of the state of Missouri:

SECTION A. ENACTING CLAUSE. — Section 21, article X, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 21, to read as follows:

SECTION 21. STATE SUPPORT TO LOCAL GOVERNMENTS NOT TO BE REDUCED, ADDITIONAL ACTIVITIES AND SERVICES NOT TO BE IMPOSED WITHOUT FULL STATE FUNDING — INCREASE IN MINIMUM FUNDING FOR POLICE FORCE, WHEN. — 1. The state is hereby prohibited from reducing the state financed proportion of the costs of any existing activity or service required of counties and other political subdivisions. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the general assembly or any state agency of counties or other political subdivisions, unless a state appropriation is made and disbursed to pay the county or other political subdivision for any increased costs.

2. Notwithstanding the foregoing prohibitions, before December 31, 2026, the general assembly may by law increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities.

SECTION B. SUMMARY STATEMENT. — Pursuant to chapter 116, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri Constitution be amended to authorize laws, passed before December 31, 2026, that increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities?"

FOR — 1,269,826; AGAINST — 739,783

November 8, 2022 Election

CONSTITUTIONAL CONVENTION QUESTION. — (Proposed by Article XII, Section 3(a), Missouri Constitution)

Official Ballot Title:

Shall there be a convention to revise and amend the Constitution?

Fair Ballot Language:

A **"yes"** vote will require the governor to call an election of delegates to serve at a convention for the purpose of revising or amending the Missouri Constitution. Any revisions or amendments will then be put to a vote of the people for their consideration.

A **"no"** vote will mean no constitutional convention will be held.

If passed, this measure will have no impact on taxes.

FOR — 633,228; AGAINST — 1,330,427

HJR 35 [HCS HJR 35]

Proposes a constitutional amendment that modifies the State Treasurer's ability to invest

CONSTITUTIONAL AMENDMENT NO. 1. — (Proposed by the 101st General Assembly, First Regular Session, HJR 35)

Official Ballot Title:

Do you want to amend the Missouri Constitution to:

- allow the General Assembly to override the current constitutional restrictions of state investments by the state treasurer; and
- allow state investments in municipal securities possessing one of the top five highest long term ratings or the highest short term rating?

State governmental entities estimate no costs and increased interest revenue of \$2 million per year. Local governmental entities estimate no costs and increased interest revenue of at least \$34,000 per year.

Fair Ballot Language:

A **"yes"** vote will amend the Missouri Constitution to grant the General Assembly statutory authority to invest state funds and also expand the state treasurer's investment options.

Currently the Constitution grants the General Assembly no statutory investment authority and

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limits the treasurer's investment options. This amendment will allow the General Assembly by statute to determine investment avenues for the state treasurer to invest state funds, as well as allow the state treasurer to invest in municipal securities.

A "**no**" vote will not amend the Missouri Constitution and limit the treasurer to investing state funds only in those currently approved by the Constitution.

If passed, this measure will have no impact on taxes.

FOR — 896,279; AGAINST — 1,065,773

LAWS PASSED
DURING THE
ONE HUNDRED FIRST
GENERAL ASSEMBLY,
FIRST EXTRAORDINARY
SESSION
(2022)

Convened Tuesday, September 6, 2022.
Adjourned Sine Die
Tuesday, October 4, 2022.

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HCS HB 3

Enacts provisions relating to agricultural economic opportunities.

AN ACT to repeal sections 60.301, 60.315, 60.345, 135.305, 135.686, 137.1018, 144.030, 266.355, 301.010, 301.062, 304.180, 304.240, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof twenty-three new sections relating to agricultural economic opportunities, with a penalty provision.

SECTION

- A. Enacting clause.
- 60.301 Definitions.
- 60.315 Lost corners reestablishment — rules.
- 60.345 Corners of quarter-sections south of township line, east of range line, how established.
- 135.305 Eligibility — amount of tax credit.
- 135.686 Citation — definitions — tax credit, amount, claim procedure — rulemaking authority.
- 135.755 High ethanol — definitions — seller tax credit amount, claim procedure — rules — sunset provision.
- 135.775 Biodiesel blend — definitions — seller tax credit, amount, procedure — rules — sunset provision.
- 135.778 Biodiesel producer — definitions — producer tax credit, amount, procedure — rules — sunset provision.
- 135.1610 Urban farm — definitions — tax credit, amount, procedure — rules — sunset provision.
- 137.1018 Statewide average rate of property taxes levied, ascertained by the commission — report submitted — taxes collected, how determined — tax credit authorized — sunset provision.
- 144.030 Rate of tax — tickets, notice of sales tax.
- 275.357 State assessment for soybeans — definitions — amount, how determined.
- 301.010 Definitions.
- 301.062 Local log trucks, registration fees — extended distance log truck permit, additional fee.
- 304.180 Regulations as to weight — axle load, tandem axle defined — transport of specific items, total gross weight permitted — requirements during disasters — specific vehicles, maximum weight.
- 304.240 Violation of load law a misdemeanor — penalty — local log truck and local log truck tractor, violation, penalty.
- 348.436 Expiration date.
- 348.491 Citation of law — definitions — program established, eligibility, requirements — rules — sunset provision.
- 348.493 Program lenders — tax credit, amount — certificate of tax credit, issuance of, when — tax credit requirements — sunset provision.
- 348.500 Family farms act — definitions — loan program for livestock, qualifications — rulemaking authority.
- 643.050 Powers and duties of commission — rules, procedure.
- 643.079 Fees, amount — deposit of moneys, where, subaccount to be maintained — civil action for failure to remit fees, effect upon permit — agencies, determination of fees — fee structure revision.
- 643.245 Natural resources protection fund — subaccounts created — purpose — lapse into general revenue prohibited — fund deposited where, by state treasurer, interest credited to fund.
- 266.355 Anhydrous ammonia, rules and standards for equipment and handling — director's duties — minimum standards.

Be it enacted by the General Assembly of the state of Missouri, as follows:

SECTION A. DEFINITIONS. — Sections 60.301, 60.315, 60.345, 135.305, 135.686, 137.1018, 144.030, 266.355, 301.010, 301.062, 304.180, 304.240, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, are repealed and twenty-three new sections enacted in lieu thereof, to be known

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as sections 60.301, 60.315, 60.345, 135.305, 135.686, 135.755, 135.775, 135.778, 135.1610, 137.1018, 144.030, 275.357, 301.010, 301.062, 304.180, 304.240, 348.436, 348.491, 348.493, 348.500, 643.050, 643.079, and 643.245, to read as follows:

60.301. DEFINITIONS.— Whenever the following words and terms are used in this chapter they shall have the following meaning unless the context clearly indicates that a different meaning is intended:

(1) "Corners of the United States public land survey", those points that determine the boundaries of the various subdivisions represented on the official plat such as the township corner, the section corner, the quarter-section corner, grant corner ~~and~~, meander corner, **and center of section**;

(2) "Existent corner", a corner whose position can be identified by verifying the evidence of the original monument or its accessories, or by some physical evidence described in the field notes, or located by an acceptable supplemental survey record or some physical evidence thereof, or by testimony. The physical evidence of a corner may have been entirely obliterated but the corner will be considered existent if its position can be recovered through the testimony of one or more witnesses who have a dependable knowledge of the original location. A legally reestablished corner shall have the same status as an existent corner;

(3) "Lost corner", a corner whose position cannot be determined, beyond reasonable doubt, either from traces of the original marks or from acceptable evidence or testimony that bears upon the original position;

(4) "Monument", the physical object which marks the corner point determined by the surveying process. The accessories, such as bearing trees, bearing objects, reference monuments, mounds of stone and other similar objects that aid in identifying the corner position, are also considered a part of a corner monument;

(5) "Obliterated, decayed or destroyed corner", ~~[an-existent corner]~~ **a position** at whose point there are no remaining traces of the original monument or its accessories, but whose location has been perpetuated by subsequent surveys, or the point may be recovered beyond reasonable doubt by the acts and testimony of local residents, competent surveyors, other qualified local authorities or witnesses, or by some acceptable record evidence. A position that depends upon the use of collateral evidence can be accepted only if duly supported, generally through proper relation to known corners, and agreement with the field notes regarding distances to natural objects, stream crossings, line trees, etc., or unquestionable testimony;

(6) "Original government survey", that survey executed under the authority of the United States government as recorded on the official plats and field notes of the United States public land survey maintained by the Missouri department of agriculture;

(7) "Proportionate measurement", a measurement of a line that gives equal relative weight to all parts of the line. The excess or deficiency between two existent corners is so distributed that the amount of excess or deficiency given to

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each interval bears the same proportion to the whole difference as the record length of the interval bears to the whole record distance:

(a) "Single proportionate measurement", a measurement of a line applied to a new measurement made between known points on a line to determine one or more positions on that line;

(b) "Double proportionate measurement", a measurement applied to a new measurement made between four known corners, two each on intersecting meridional and latitudinal lines, for the purpose of relating the intersection to both. ~~[The procedure is described as follows: first, measurements will be made between the nearest existent corners north and south of the lost corner. A temporary point will be determined to locate the latitude of the lost corner on the straight line connecting the existent corners and at the proper proportionate distance. Second, measurements will be made between the nearest existent corners east and west of the lost corner. A temporary point will be determined to locate the longitude of the lost corner on the straight line connecting the existent corners and at the proportionate distance. Third, determine the location of the lost corner at the intersection of an east-west line through the point determining the latitude of the lost corner with a north-south line through the point determining the longitude of the lost corner.]~~ When the total length of the line between the nearest existing corners was not measured in the original government survey, the record distance from one existing corner to the lost corner will be used instead of the proportionate distance. This exception will apply to either or both of the east-west or north-south lines;

(8) "Record distance", the distance or length as shown on the original government survey. In determining record distances, consideration shall be given as to whether the distance was measured on a random or true line.

60.315. LOST CORNERS REESTABLISHMENT — RULES. — The following rules for the reestablishment of lost corners shall be applied only when it is determined that the corner is lost: (The rules utilize proportional measurement which harmonizes surveying practice with legal and equitable considerations. This plan of relocating a lost corner is always employed unless it can be shown that the corner so located is in substantial disagreement with the general scheme of the original government survey as monumented. In such cases the surveyor shall use procedures that produce results consistent with the original survey of that township.)

(1) Existent original corners shall not be disturbed. Consequently, discrepancies between the new and record measurements shall not in any manner affect the measurements beyond the existent corners; but the differences shall be distributed proportionately within the several intervals along the line between the corners;

(2) Standard parallels shall be given precedence over other township exteriors, and, ordinarily, the latter shall be given precedence over subdivisional lines; section

corners shall be located or reestablished before the position of lost quarter-section corners can be determined;

(3) Lost township corners common to four townships shall be reestablished by double proportionate measurement between the nearest existent corners on opposite sides of the lost township corner;

(4) Lost township corners located on standard parallels and common only to two townships shall be reestablished by single proportionate measurement between the nearest existent corners on opposite sides of the lost township corner on the standard parallel;

(5) ~~[Lost standard corners shall be reestablished on a standard or correction line by single proportionate measurement on the line connecting the nearest identified standard or closing corners on opposite sides of the lost corner or corners, as the case may be;~~

~~(6) All lost section and quarter section corners on the township boundary lines shall be reestablished by single proportionate measurement between the nearest existent corners on opposite sides of the lost corner according to the conditions represented upon the original government plat;~~

(7) Lost corners on township exteriors, excluding corners referenced in subdivision (3) of this section, whether they are standard or closing corners, shall be reestablished by single proportionate measurement on the line connecting the next nearest existent standard or closing corner on opposite sides of the lost corner;

(6) A lost interior corner of four sections shall be reestablished by double proportionate measurement;

~~[(8) A lost closing corner shall be reestablished on the true line that was closed upon, and at the proper proportional interval between the nearest existent corners on opposite sides of the lost corner;~~

~~(9)~~ (7) All lost quarter-section corners on the section boundaries within the township shall be reestablished by single proportionate measurement between the adjoining section corners, after the section corners have been identified or reestablished; and

~~[(10)]~~ (8) Where a line has been terminated with a measurement in one direction only, a lost corner shall be reestablished by record bearing and distance, counting from the nearest regular corner, the latter having been duly identified or reestablished.

60.345. CORNERS OF QUARTER-SECTIONS SOUTH OF TOWNSHIP LINE, EAST OF RANGE LINE, HOW ESTABLISHED. — The quarter-section corners of sections south of the township line and east of the range line, and not established by the original government survey will be established according to the conditions represented upon the official government plat using **single** proportionate measurement between the ~~[adjoining]~~ section corners belonging to the same section as the quarter-section

corner being established, the section corners having first been identified or reestablished. **The proportional position shall be offset, if necessary, in a cardinal direction to the true line defined by the nearest adjacent corners on opposite sides of the quarter-section corner to be established.**

135.305. ELIGIBILITY — AMOUNT OF TAX CREDIT. — A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, ~~[2020]~~ **2028**. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year. There shall be no tax credits authorized under sections 135.300 to 135.311 unless an appropriation is made for such tax credits.

135.686. CITATION — DEFINITIONS — TAX CREDIT, AMOUNT, CLAIM PROCEDURE — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Meat Processing Facility Investment Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Authority", the agricultural and small business development authority established in chapter 348;

(2) "Meat processing facility", any commercial plant, as defined under section 265.300, at which livestock are slaughtered or at which meat or meat products are processed for sale commercially and for human consumption;

(3) "Meat processing modernization or expansion", constructing, improving, or acquiring buildings or facilities, or acquiring equipment for meat processing including the following, if used exclusively for meat processing and if acquired and placed in service in this state during tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~[2024]~~ **2028**:

(a) Building construction including livestock handling, product intake, storage, and warehouse facilities;

(b) Building additions;

(c) Upgrades to utilities including water, electric, heat, refrigeration, freezing, and waste facilities;

(d) Livestock intake and storage equipment;

(e) Processing and manufacturing equipment including cutting equipment, mixers, grinders, sausage stuffers, meat smokers, curing equipment, cooking equipment, pipes, motors, pumps, and valves;

(f) Packaging and handling equipment including sealing, bagging, boxing, labeling, conveying, and product movement equipment;

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- (g) Warehouse equipment including storage and curing racks;
 - (h) Waste treatment and waste management equipment including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products;
 - (i) Computer software and hardware used for managing the claimant's meat processing operation including software and hardware related to logistics, inventory management, production plant controls, and temperature monitoring controls; and
 - (j) Construction or expansion of retail facilities or the purchase or upgrade of retail equipment for the commercial sale of meat products if the retail facility is located at the same location as the meat processing facility;
- (4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 147;
- (5) "Taxpayer", any individual or entity who:
- (a) Is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or the tax imposed under chapter 147;
 - (b) In the case of an individual, is a resident of this state as verified by a 911 address or, in the absence of a 911 system, a physical address; and
 - (c) Owns a meat processing facility located in this state **and employs a combined total of fewer than five hundred individuals in all meat processing facilities owned by the individual or entity in this country;**
- (6) "Used exclusively", used to the exclusion of all other uses except for use not exceeding five percent of total use.
3. For all tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~[2021]~~ **2028**, a taxpayer shall be allowed a tax credit for meat processing modernization or expansion related to the taxpayer's meat processing facility. The tax credit amount shall be equal to twenty-five percent of the amount the taxpayer paid in the tax year for meat processing modernization or expansion.
4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the tax year in which the meat processing modernization or expansion expenses were paid, but any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year may be carried forward to any of the taxpayer's four subsequent tax years. The total amount of tax credits that any taxpayer may claim shall not exceed seventy-five thousand dollars per year. If two or more persons own and operate the meat processing facility, each person may claim a credit under this section in proportion to ~~[his or her]~~ **such person's** ownership interest; except that, the aggregate amount of the credits claimed by all persons who own and operate the meat processing facility shall not exceed seventy-five thousand dollars per year. The amount of tax credits authorized in this section ~~and~~

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~~section 135.679]~~ in a calendar year shall not exceed two million dollars. Tax credits shall be issued on an as-received application basis until the calendar year limit is reached. Any credits not issued in any calendar year shall expire and shall not be issued in any subsequent year.

5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority and any application fee imposed by the authority. The application shall be filed with the authority at the end of each calendar year in which a meat processing modernization or expansion project was completed and for which a tax credit is claimed under this section. The application shall include any certified documentation, proof of meat processing modernization or expansion, and any other information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order, subpoena, or as otherwise provided by law. If the taxpayer and the meat processing modernization or expansion meet all criteria required by this section and approval is granted by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. If a tax credit certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate and the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, except as provided in subsection 5 of this section.

7. The authority shall promulgate rules establishing a process for verifying that a facility's modernization or expansion for which tax credits were allowed under this section has in fact expanded the facility's production within three years of the issuance of the tax credit and if not, the authority shall promulgate through rulemaking a process by which the taxpayer shall repay the authority an amount equal to that of the tax credit allowed.

8. The authority shall, at least annually, submit a report to the Missouri general assembly reviewing the costs and benefits of the program established under this section.

9. The authority may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are

subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

10. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298.

135.755. HIGH ETHANOL — DEFINITIONS — SELLER TAX CREDIT AMOUNT, CLAIM PROCEDURE — RULES — SUNSET PROVISION. — 1. For the purposes of this section, the following terms shall mean:

- (1) "Department", the Missouri department of revenue;**
- (2) "Distributor", a person, firm, or corporation doing business in this state that:**
 - (a) Produces, refines, blends, compounds, or manufactures motor fuel;**
 - (b) Imports motor fuel into the state; or**
 - (c) Is engaged in distribution of motor fuel;**
- (3) "Higher ethanol blend", a fuel capable of being dispensed directly into motor vehicle fuel tanks for consumption that is comprised of at least fifteen percent but not more than eighty-five percent ethanol;**
- (4) "Retail dealer", a person, firm, or corporation doing business in this state that owns or operates a retail service station in this state;**
- (5) "Retail service station", a location in this state from which higher ethanol blend is sold to the general public and is dispensed directly into motor vehicle fuel tanks for consumption.**

2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells higher ethanol blend at such retail dealer's retail service station or a distributor that sells higher ethanol blend directly to the final user located in this state shall be allowed a tax credit to be taken against the retail dealer's or distributor's state income tax liability. The amount of the credit shall equal five cents per gallon of higher ethanol blend sold by the retail dealer and dispensed through metered pumps at the retail dealer's retail service station or by a distributor directly to the final user located in this state during the tax year for which the tax credit is claimed. Tax credits authorized pursuant to this section shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall not be refundable but may be carried forward to any of the five subsequent tax years. The total amount of tax credits issued pursuant to this section for any given fiscal year shall not exceed five million dollars.

3. In the event the total amount of tax credits claimed under this section exceeds the amount of available tax credits, the tax credits shall be apportioned among all eligible retail dealers and distributors claiming a tax credit by April fifteenth, or as directed by section 143.851, of the fiscal year in which the tax credit is claimed.

4. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after reduction for all other credits allowed thereon. The department may require any documentation it deems necessary to implement the provisions of this section.

5. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

135.775. BIODIESEL BLEND — DEFINITIONS — SELLER TAX CREDIT, AMOUNT, PROCEDURE — RULES — SUNSET PROVISION. — 1. As used in this section, the following terms mean:

(1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel of at least five percent and not more than twenty percent for on-road and off-road diesel-fueled vehicle use;

(2) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets the most recent version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section unless the palm oil is contained within waste oil and grease collected within the United States;

(3) "B99", a blend of ninety-nine percent biodiesel fuel that meets the most recent version of the ASTM International D6751 Standard Specification for

Biodiesel Fuel Blend Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel that meets the most recent version of the ASTM International D975 Standard Specification for Diesel Fuel;

(4) "Department", the Missouri department of revenue;

(5) "Distributor", a person, firm, or corporation doing business in this state that:

(a) Produces, refines, blends, compounds, or manufactures motor fuel;

(b) Imports motor fuel into the state; or

(c) Is engaged in distribution of motor fuel;

(6) "Retail dealer", a person, firm, or corporation doing business in this state that owns or operates a retail service station in this state;

(7) "Retail service station", a location in this state from which biodiesel blend is sold to the general public and is dispensed directly into motor vehicle fuel tanks for consumption at retail.

2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells a biodiesel blend at a retail service station or a distributor that sells a biodiesel blend directly to the final user located in this state shall be allowed a tax credit to be taken against the retail dealer or distributor's state income tax liability. The amount of the credit shall be equal to:

(1) Two cents per gallon of biodiesel blend of at least five percent but not more than ten percent sold by the retail dealer at a retail service station or by a distributor directly to the final user located in this state during the tax year for which the tax credit is claimed; and

(2) Five cents per gallon of biodiesel blend in excess of ten percent but not more than twenty percent sold by the retail dealer at a retail service station or by a distributor directly to the final user located in this state during the tax year for which the tax credit is claimed.

3. Tax credits authorized under this section shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be refundable. The total amount of tax credits issued under this section for any given fiscal year shall not exceed sixteen million dollars.

4. In the event the total amount of tax credits claimed under this section exceeds the amount of available tax credits, the tax credits shall be apportioned among all eligible retail dealers and distributors claiming a tax credit by April fifteenth, or as directed by section 143.851, of the fiscal year in which the tax credit is claimed.

5. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after reduction for all other credits allowed

thereon. The department may require any documentation it deems necessary to administer the provisions of this section.

6. Notwithstanding any other provision of law to the contrary, if the maximum amount of tax credits authorized by this section are not claimed, the remaining amount of tax credits available to claim shall be applied to the tax credit in section 135.778 if the maximum amount of tax credits authorized by section 135.778 have been claimed.

7. Notwithstanding the provisions of section 32.057 to the contrary, the department may work with the division of weights and measures within the department of agriculture to validate that the biodiesel blend a retail dealer or distributor claims for the tax credit authorized under this section contains a sufficient percentage of biodiesel fuel.

8. The department shall promulgate rules to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

9. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. The termination of the program as described in this subsection shall not be construed to preclude any qualified taxpayer who claims any benefit under any program that is sunset under this subsection from claiming such benefit for all allowable activities related to such claim that were completed before the program was sunset or to eliminate any responsibility of the department to verify the continued eligibility of qualified individuals receiving tax credits and to enforce other requirements of law that applied before the program was sunset.

135.778. BIODIESEL PRODUCER — DEFINITIONS — PRODUCER TAX CREDIT, AMOUNT, PROCEDURE — RULES — SUNSET PROVISION. — 1. For the purposes of this section, the following terms shall mean:

(1) **"Biodiesel fuel"**, a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets the most recent version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section unless the palm oil is contained within waste oil and grease collected within the United States;

(2) **"B99"**, a blend of ninety-nine percent biodiesel fuel that meets the most recent version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel that meets the most recent version of the ASTM International D975 Standard Specification for Diesel Fuel;

(3) **"Department"**, the Missouri department of revenue;

(4) **"Missouri biodiesel producer"**, a person, firm, or corporation doing business in this state that produces biodiesel fuel in this state, is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR Part 79, and has begun construction on such facility or has been selling biodiesel fuel produced at such facility on or before the effective date of this section.

2. For all tax years beginning on or after January 1, 2023, a Missouri biodiesel producer shall be allowed a tax credit to be taken against the producer's state income tax liability. The amount of the tax credit shall be two cents per gallon of biodiesel fuel produced by the Missouri biodiesel producer during the tax year for which the tax credit is claimed.

3. Tax credits authorized under this section shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be refundable. The total amount of tax credits issued under this section for any given fiscal year shall not exceed four million dollars.

4. In the event the total amount of tax credits claimed under this section exceeds the amount of available tax credits, the tax credits shall be apportioned among all eligible Missouri biodiesel producers claiming the credit by April fifteenth, or as directed by section 143.851, of the fiscal year in which the tax credit is claimed.

5. The tax credit authorized under this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after reduction for all other credits

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allowed thereon. The department may require any documentation it deems necessary to administer the provisions of this section.

6. Notwithstanding any other provision of law to the contrary, if the maximum amount of tax credits authorized by this section are not claimed, the remaining amount of tax credits available to claim shall be applied to the tax credit in section 135.775 if the maximum amount of tax credits authorized by section 135.775 have been claimed.

7. The department shall promulgate rules to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. The termination of the program as described in this subsection shall not be construed to preclude any qualified taxpayer who claims any benefit under any program that is sunset under this subsection from claiming such benefit for all allowable activities related to such claim that were completed before the program was sunset, or to eliminate any responsibility of the department to verify the continued eligibility of qualified individuals receiving tax credits and to enforce other requirements of law that applied before the program was sunset.

135.1610. URBAN FARM — DEFINITIONS — TAX CREDIT, AMOUNT, PROCEDURE — RULES — SUNSET PROVISION. — 1. As used in this section, the following terms mean:

(1) "Eligible expenses", expenses incurred in the construction or development of establishing or improving an urban farm in an urban area. The term "eligible expenses" shall not include any expense for labor or any expense incurred to grow medical marijuana or industrial hemp;

(2) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265;

(3) "Taxpayer", any individual, partnership, or corporation as described under section 143.441 or 143.471 that is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or any charitable organization that is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143;

(4) "Urban area", an urbanized area as defined by the United States Census Bureau;

(5) "Urban farm", an agricultural plot or facility in an urban area that produces agricultural food products used solely for distribution to the public by sale or donation. "Urban farm" shall include community-run gardens. "Urban farm" shall not include personal farms or residential lots for personal use.

2. For all tax years beginning on or after January 1, 2023, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the taxpayer's eligible expenses for establishing or improving an urban farm that focuses on food production.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability in the tax year for which the credit is claimed, and the taxpayer shall not be allowed to claim a tax credit under this section in excess of five thousand dollars for each urban farm. The total amount of tax credits that may be authorized for all taxpayers for eligible expenses incurred on any given urban farm shall not exceed twenty-five thousand dollars. Any issued tax credit that cannot be claimed in the tax year in which the eligible expenses were incurred may be carried over to the next three succeeding tax years until the full credit is claimed.

4. The total amount of tax credits that may be authorized under this section shall not exceed two hundred thousand dollars in any calendar year.

5. Tax credits issued under the provisions of this section shall not be transferred, sold, or assigned.

6. The Missouri agricultural and small business development authority shall recapture the amount of tax credits issued to any taxpayer who, after receiving such tax credit, uses the urban farm for the personal benefit of the taxpayer instead of for producing agricultural food products used solely for distribution to the public by sale or donation.

7. The Missouri agricultural and small business development authority may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if

applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

8. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section;

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(4) Nothing in this subsection shall prevent a taxpayer from claiming a tax credit properly issued before the program was sunset in a tax year after the program is sunset.

137.1018. STATEWIDE AVERAGE RATE OF PROPERTY TAXES LEVIED, ASCERTAINED BY THE COMMISSION — REPORT SUBMITTED — TAXES COLLECTED, HOW DETERMINED — TAX CREDIT AUTHORIZED — SUNSET PROVISION. — 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under **subsection 4 of** this section shall expire on August 28, ~~[2020]~~ **2028**; and

(2) **Subsection 4 of** this section shall terminate on September 1, ~~[2021]~~ **2029**.

144.030. RATE OF TAX — TICKETS, NOTICE OF SALES TAX. — 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at

retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term "product" includes telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is

intended to clarify that the term "manufacturing" has included and continues to include the production and transmission of "telecommunications services", as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and

provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by

nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" ~~means~~ **shall mean:**

(a) New or used farm tractors and such other new or used farm machinery and equipment, **including utility vehicles used for any agricultural use**, and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment~~;~~ **and** rotary mowers used ~~exclusively~~ for **any** agricultural purposes~~, and~~. **For the purposes of this subdivision, "utility vehicle" shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels;**

(b) Supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile~~;~~; and

(c) One-half of each purchaser's purchase of diesel fuel therefor which is:

~~(a)~~ **a.** Used exclusively for agricultural purposes;

~~(b)~~ **b.** Used on land owned or leased for the purpose of producing farm products; and

~~[(e)]~~ **c.** Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential

apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder,

as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service

is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under ~~section~~ **sections 67.1830 to 67.1846** or **section 67.2689**; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

- a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or
- b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

(a) Are sold or leased to an end user; or

(b) Are used to produce, collect and transmit electricity for resale or retail.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

275.357. STATE ASSESSMENT FOR SOYBEANS — DEFINITIONS — AMOUNT, HOW DETERMINED. — 1. As used in this section, the following terms mean:

(1) "Commodity merchandising council" or "council", the same definition as in section 275.300 and for soybeans shall be, as provided under the federal act, the qualified state soybean board known as the Missouri Soybean Merchandising Council;

(2) "Federal act", the Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. Section 6301 et seq.), as amended;

(3) "Handler", the same definition as in section 275.300 and for soybeans includes, but is not limited to, a commodity credit corporation for situations in which soybeans are pledged as collateral for a loan issued under any Commodity Credit Corporation price support loan program and the soybeans are forfeited by the producer in lieu of loan repayment;

(4) "Net market price":

(a) Except as provided in paragraph (b) of this subdivision, the sales price or other value received by a producer for any soybeans after adjustments for any premium or discount based on grading or quality factors, as determined by the Secretary of Agriculture of the United States, the director, or both; or

(b) For soybeans pledged as collateral for a loan issued under any Commodity Credit Corporation price support loan program and, when the soybeans are forfeited by the producer in lieu of loan repayment, the principal amount of the loan;

(5) "Processor", the same definition as in section 275.300 and for soybeans includes, but is not limited to, a producer marketing processed soybeans or soybean products of such producer's own production.

2. As long as an assessment made under the federal act is equal to one-half of one percent of the net market price of soybeans grown within this state, the assessment imposed and levied under section 275.350 shall be one-half of such national assessment. The state assessment shall not be in addition to the national assessment but shall correspond to the state credit or portion of the total assessment paid to the council.

3. If the assessment under the federal act is reduced to less than one-half of one percent or ceases to be effective, the state assessment imposed and levied under this section shall, for as long as such assessment is reduced or no such assessment is made, be equal to one-half of one percent of the net market price of soybeans grown within this state less any assessment paid to the United Soybean Board under the federal act.

4. The total of such state assessment and federal assessment shall be:

(1) Collected from a producer by the handler or processor first acquiring such producer's soybeans and be remitted to the council; or

(2) Remitted by a producer marketing processed soybeans or soybean products of that producer-processor's own soybeans to the council.

5. State fees collected under this section shall be subject to the refund provision provided under section 275.360.

6. No provision of this section shall be construed as a change to the amount of any fee collected under section 275.350 or a major change for purposes of section 275.330.

301.010. DEFINITIONS. — As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck camper units;

(4) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(5) "Backhaul", the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route;

(6) "Boat transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used specifically to transport assembled boats and boat hulls. Boats may be partially disassembled to facilitate transporting;

(7) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(10) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(12) "Director" or "director of revenue", the director of the department of revenue;

(13) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

(a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;

(b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour; or

(c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour;

(16) "Farm tractor", a tractor used exclusively for agricultural purposes;

(17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(19) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(20) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(21) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(22) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(23) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(24) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(25) "Junk vehicle", a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

(26) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(27) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred **fifty** miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation.

Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(28) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(29) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state~~[-];~~ used exclusively in this state~~[-];~~ used to transport harvested forest products~~[-];~~ operated solely at a forested site and in an area extending not more than a one hundred **fifty** mile radius from such site~~[-, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels,];~~ and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the one hundred **fifty** mile radius from such site with an extended distance local log truck permit, ~~[such vehicle shall not exceed the weight limits of section 304.180,]~~ does not have more than four axles, and does not pull a trailer which has more than three axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck~~[-. A local log truck may not exceed the limits required by law, however, if~~

~~the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds];~~

(30) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state~~];~~; used exclusively in this state~~];~~; used to transport harvested forest products, operated at a forested site and in an area extending not more than a one hundred **fifty** mile radius from such site~~]; operates with a weight not exceeding twenty two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle,];~~ and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the one hundred **fifty** mile radius from such site with an extended distance local log truck permit, ~~[such vehicle does not exceed the weight limits contained in section 304.180, and]~~ does not have more than three axles and does not pull a trailer which has more than three axles~~]. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220];~~

(31) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(32) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(33) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(34) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and electric bicycles;

(37) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

- (a) Offered for hire or lease; or
- (b) The owner of which also owns ten or more such motor vehicles;
- (38) "Motorcycle", a motor vehicle operated on two wheels;
- (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground, but excluding an electric bicycle;
- (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the definition of all-terrain vehicle;
- (41) "Municipality", any city, town or village, whether incorporated or not;
- (42) "Nonresident", a resident of a state or country other than the state of Missouri;
- (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;
- (44) "Operator", any person who operates or drives a motor vehicle;
- (45) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or who has executed a buyer's order or retail installment sales contract with a motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;
- (46) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;
- (47) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;
- (48) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;
- (49) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which

are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(50) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

(51) "Recreational trailer", any trailer designed, constructed, or substantially modified so that it may be used and is used for the purpose of temporary housing quarters, including therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or attached to a unit which is securely attached to a motor vehicle;

(52) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(53) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(54) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

- a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;
- b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and
- c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(56) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(57) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

(58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(59) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(60) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(61) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(62) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(63) "Towaway trailer transporter combination", a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

(64) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(65) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in this section and shall not include manufactured homes as defined in section 700.010;

(66) "Trailer transporter towing unit", a power unit that is not used to carry property when operating in a towaway trailer transporter combination;

(67) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(68) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(69) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(70) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. Business does not include isolated sales at a swap meet of less than three days;

(71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(72) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(74) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(75) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.062. LOCAL LOG TRUCKS, REGISTRATION FEES — EXTENDED DISTANCE LOG TRUCK PERMIT, ADDITIONAL FEE. — 1. The annual registration fee for a local log truck, registered pursuant to this chapter, is three hundred dollars.

2. A local log truck may receive an extended distance local log truck permit for an additional fee of three hundred dollars. A local log truck with an extended distance local log truck permit shall be allowed to transport harvested or processed forest products outside of the ~~one hundred mile~~ radius from the forested site **specified in section 301.010** at the weight limits for commercial vehicles specified in section 304.180. For the purposes of this section, "processed forest products" shall mean wood products that are produced from the initial processing of a round log and have received no additional manufacturing or packaging to prepare the

material for any retail market including, but not limited to, sawdust, wood chips, bark, slabs, and green square edged lumber products.

304.180. REGULATIONS AS TO WEIGHT — AXLE LOAD, TANDEM AXLE DEFINED — TRANSPORT OF SPECIFIC ITEMS, TOTAL GROSS WEIGHT PERMITTED — REQUIREMENTS DURING DISASTERS — SPECIFIC VEHICLES, MAXIMUM WEIGHT. — 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise					
	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500

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Matter in bold-face type is proposed language.

42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway

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Matter in bold-face type is proposed language.

system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, 10, 12, ~~and~~ 13, **and 14** of this section.

7. Notwithstanding any provision of this section to the contrary, the commission shall issue a single-use special permit, or upon request of the owner of the truck or equipment shall issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers' equipment. The commission shall set fees for the issuance of permits and parameters for the transport of cranes pursuant to this subsection. Notwithstanding the provisions of section 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the commission shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the department of transportation motor carrier compliance supervisor or other

designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The commission shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. Notwithstanding any provision of this section to the contrary, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer axle; except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

13. Notwithstanding any provision of this section to the contrary, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas engine exceed eighty-two thousand pounds.

14. Notwithstanding any provision of law to the contrary, local log trucks and local log truck tractors, as defined in section 301.010, may be operated with a weight not exceeding twenty-two thousand four hundred pounds on one axle or a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, except the front steering axle shall not exceed fifteen thousand pounds or the gross vehicle weight rating set by the manufacturer, and may have a total weight of up to one hundred five thousand pounds. Provided however, when operating on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the radius from the forested site specified in section 301.010 with an extended distance local log truck permit, the vehicle shall not exceed the weight limits otherwise specified in this section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

304.240. VIOLATION OF LOAD LAW A MISDEMEANOR — PENALTY — LOCAL LOG TRUCK AND LOCAL LOG TRUCK TRACTOR, VIOLATION, PENALTY. — 1. Any person, firm, corporation, partnership or association violating any of the provisions of sections 304.170 to 304.230 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars or by confinement in a county jail for not more than twelve months, or by both the fine and confinement; provided, however, that where load limits as defined in sections 304.180 to 304.220 have been violated, the fine shall be two cents for each pound of excess weight up to and including five hundred, and five cents for each pound of excess weight above five hundred and not exceeding one thousand, and ten cents for each pound in excess weight above one thousand; provided that, when any vehicle is being operated under a special permit as provided in section 304.200, the term "excess weight" means only weight in excess of the amount permitted in the permit as issued. The court may, in its discretion, cause to be impounded the motor vehicle operated by any person violating the provisions of this section until such time as the fine and cost assessed by the court under this section is paid.

2. Notwithstanding subsection 1 of this section, the fine for a load-limit violation under sections 304.180 to 304.220 involving a local log truck or a local log truck tractor, as such terms are defined in section 301.010, shall be as follows:

- (1) If the weight exceeds the limit by one pound to four thousand nine hundred ninety-nine pounds, the fine shall be ten cents for each pound of excess weight;**
- (2) If the weight exceeds the limit by five thousand pounds to nine thousand nine hundred ninety-nine pounds, the fine shall be twenty cents for each pound of excess weight; and**
- (3) If the weight exceeds the limit by ten thousand pounds or more, the fine shall be fifty cents for each pound of excess weight.**

348.436. EXPIRATION DATE. — The provisions of sections 348.430 to 348.436 shall expire December 31, ~~[2024]~~ **2028**.

348.491. CITATION OF LAW — DEFINITIONS — PROGRAM ESTABLISHED, ELIGIBILITY, REQUIREMENTS — RULES — SUNSET PROVISION. — 1. This section shall be known and may be cited as the "Specialty Agricultural Crops Act".

2. As used in this section, the following terms mean:

- (1) "Authority", the Missouri agricultural and small business development authority created in section 348.020;**
- (2) "Family farmer", a farmer who is a Missouri resident and who has less than one hundred thousand dollars in agricultural sales per year;**
- (3) "Lender", the same definition as in section 348.015;**

(4) "Specialty crop", fruits and vegetables, tree nuts, dried fruits, and horticulture and nursery crops including, but not limited to, floriculture. "Specialty crop" shall not include medical marijuana or industrial hemp.

3. The authority shall establish a specialty agricultural crops loan program for family farmers for the purchase of specialty crop seeds, seedlings, or trees; soil amendments including compost; irrigation equipment; fencing; row covers; trellising; season extension equipment; refrigeration equipment; and equipment for planting and harvesting.

4. To participate in the loan program, a family farmer shall first obtain approval for a specialty agricultural crops loan from a lender. Each family farmer shall be eligible for only one specialty agricultural crops loan per family.

5. The maximum amount of the specialty agricultural crops loan for specialty crop producers shall be thirty-five thousand dollars.

6. Eligible borrowers under the program:

(1) Shall use the proceeds of the specialty agricultural crops loan to acquire the farming resources described in subsection 3 of this section;

(2) Shall not finance more than ninety percent of the anticipated cost of the purchase of such farming resources through the specialty agricultural crops loan; and

(3) Shall not be charged interest by the lender for the first year of the qualified specialty agricultural crops loan.

7. Upon approval of the specialty agricultural crops loan by a lender under subsection 4 of this section, the loan shall be submitted for approval by the authority. The authority shall promulgate rules establishing eligibility under this section, taking into consideration:

(1) The eligible borrower's ability to repay the specialty agricultural crops loan;

(2) The general economic conditions of the area in which the farm is located;

(3) The prospect of a financial return for the family farmer for the type of farming resource for which the specialty agricultural crops loan is sought; and

(4) Such other factors as the authority may establish.

8. For eligible borrowers participating in the program, the authority shall be responsible for reviewing the purchase price of any farming resources to be purchased by an eligible borrower under the program to determine whether the price to be paid is appropriate for the type of farming resources purchased. The authority may impose a one-time loan review fee of one percent, which shall be collected by the lender at the time of the loan and paid to the authority.

9. Nothing in this section shall be construed to preclude a family farmer from participating in any other agricultural program.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

348.493. PROGRAM LENDERS — TAX CREDIT, AMOUNT — CERTIFICATE OF TAX CREDIT, ISSUANCE OF, WHEN — TAX CREDIT REQUIREMENTS — SUNSET PROVISION. — 1. As used in this section, "state tax liability" means any state tax liability incurred by a taxpayer under the provisions of chapter 143, 147, or 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

2. Any eligible lender under the specialty agricultural crops loan program under section 348.491 shall be entitled to receive a tax credit equal to one hundred percent of the amount of interest waived by the lender under section 348.491 on a qualifying loan for the first year of the loan only. The tax credit shall be evidenced by a certificate of tax credit issued by the Missouri agricultural and small business development authority and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the interest on a qualified loan is waived by the lender under section 348.491. No lender shall receive a tax credit under this section unless such lender presents a certificate of tax credit to the department of revenue for payment of such state tax liability. The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section in a fiscal year shall not exceed three hundred thousand dollars.

3. The Missouri agricultural and small business development authority shall be responsible for the administration and issuance of the certificate of tax credits authorized by this section. The authority shall issue a certificate of tax

credit at the request of any lender. Each request shall include a true copy of the loan documents, the name of the lender who is to receive a certificate of tax credit, the type of state tax liability against which the tax credit is to be used, and the amount of the certificate of tax credit to be issued to the lender based on the interest waived by the lender under section 348.491 on the loan for the first year.

4. The department of revenue shall accept a certificate of tax credit in lieu of other payment in such amount as is equal to the lesser of the amount of the tax or the remaining unused amount of the credit as indicated on the certificate of tax credit and shall indicate on the certificate of tax credit the amount of tax thereby paid and the date of such payment.

5. The following provisions shall apply to tax credits authorized under this section:

(1) Tax credits claimed in a tax year may be claimed on a quarterly basis and applied to the estimated quarterly tax of the lender;

(2) Any amount of tax credit that exceeds the tax due, including any estimated quarterly taxes paid by the lender under subdivision (1) of this subsection that result in an overpayment of taxes for a tax year, shall not be refunded but may be carried over to any subsequent tax year, not to exceed a total of three years for which a tax credit may be taken for a qualified specialty agricultural crops loan;

(3) Notwithstanding any provision of law to the contrary, a lender may assign, transfer, sell, or otherwise convey tax credits authorized under this section, with the new owner of the tax credit receiving the same rights in the tax credit as the lender. For any tax credits assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed by the lender with the authority specifying the name and address of the new owner of the tax credit and the value of such tax credit; and

(4) Notwithstanding any other provision of this section to the contrary, any commercial bank may use tax credits created under this section as provided in section 148.064 and receive a net tax credit against taxes actually paid in the amount of the first year's interest on loans made under this section. If such first year tax credits reduce taxes due as provided in section 148.064 to zero, the remaining tax credits may be carried over as otherwise provided in this section and used as provided in section 148.064 in subsequent years.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

348.500. FAMILY FARMS ACT — DEFINITIONS — LOAN PROGRAM FOR LIVESTOCK, QUALIFICATIONS — RULEMAKING AUTHORITY. — 1. This section shall be known and may be cited as the "Family Farms Act".

2. As used in this section, "small farmer" means a farmer who is a Missouri resident and who has less than ~~[two hundred fifty]~~ **five hundred** thousand dollars in gross sales per year.

3. The agricultural and small business development authority shall establish a family farm breeding livestock loan program for small farmers for the purchase of beef cattle, dairy cattle, sheep and goats, and swine only.

4. To participate in the loan program, a small farmer shall first obtain approval for a family farm livestock loan from a lender as defined in section 348.015. ~~[Each small farmer shall be eligible for only one family farm livestock loan per family and for only one type of livestock.]~~

5. The maximum amount of the family farm livestock loan for each type of livestock shall be as follows:

- (1) ~~[Seventy-five]~~ **One hundred fifty** thousand dollars for beef cattle;
- (2) ~~[Seventy-five]~~ **One hundred fifty** thousand dollars for dairy cattle;
- (3) ~~[Thirty-five]~~ **Seventy** thousand dollars for swine; and
- (4) ~~[Thirty]~~ **Sixty** thousand dollars for sheep and goats.

6. Eligible borrowers under the program:

- (1) Shall use the proceeds of the family farm loan to acquire breeding livestock;
- (2) Shall not finance more than ninety percent of the anticipated cost of the purchase of such livestock through the family farm livestock loan; and
- (3) Shall not be charged interest by the lender, as defined in section 348.015, for the first year of the qualified family farm livestock loan.

7. Upon approval of the family farm livestock loan by a lender under subsection 4 of this section, the loan shall be submitted for approval by the agricultural and small business development authority. The authority shall promulgate rules establishing eligibility under this section, taking into consideration:

- (1) The eligible borrower's ability to repay the family farm livestock loan;
- (2) The general economic conditions of the area in which the farm is located;
- (3) The prospect of a financial return for the small farmer for the type of livestock for which the family farm livestock loan is sought; and
- (4) Such other factors as the authority may establish.

8. For eligible borrowers participating in the program, the authority shall be responsible for reviewing the purchase price of any livestock to be purchased by an eligible borrower under the program to determine whether the price to be paid is

appropriate for the type of livestock purchased. The authority may impose a one-time loan review fee of one percent which shall be collected by the lender at the time of the loan and paid to the authority.

9. Nothing in this section shall preclude a small farmer from participating in any other agricultural program.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

643.050. POWERS AND DUTIES OF COMMISSION — RULES, PROCEDURE. — 1. In addition to any other powers vested in it by law the commission shall have the following powers:

(1) Adopt, promulgate, amend and repeal rules and regulations consistent with the general intent and purposes of sections 643.010 to 643.355, chapter 536, ~~and~~ Titles V and VI of the federal Clean Air Act, as amended, 42 U.S.C. 7661 ~~et seq.~~, **and 42 U.S.C. Section 7412(r), as amended, for covered processes of agricultural stationary sources that use, store, or sell anhydrous ammonia,** including, but not limited to:

- (a) Regulation of use of equipment known to be a source of air contamination;
- (b) Establishment of maximum quantities of air contaminants that may be emitted from any air contaminant source; ~~and~~
- (c) Regulations necessary to enforce the provisions of Title VI of the Clean Air Act, as amended, 42 U.S.C. 7671 ~~et seq.~~, regarding any Class I or Class II substances as defined therein; **and**
- (d) Regulations necessary to implement and enforce the risk management plans under 42 U.S.C. Section 7412(r), as amended, for agricultural facilities that use, store, or sell anhydrous ammonia;**

(2) After holding public hearings in accordance with section 643.070, establish areas of the state and prescribe air quality standards for such areas giving due recognition to variations, if any, in the characteristics of different areas of the state which may be deemed by the commission to be relevant;

(3) (a) To require persons engaged in operations which result in air pollution to monitor or test emissions and to file reports containing information relating to rate, period of emission and composition of effluent;

(b) Require submission to the director for approval of plans and specifications for any article, machine, equipment, device, or other contrivance specified by regulation the use of which may cause or control the issuance of air contaminants;

but any person responsible for complying with the standards established under sections 643.010 to 643.355 shall determine, unless found by the director to be inadequate, the means, methods, processes, equipment and operation to meet the established standards;

(4) Hold hearings upon appeals from orders of the director or from any other actions or determinations of the director hereunder for which provision is made for appeal, and in connection therewith, issue subpoenas requiring the attendance of witnesses and the production of evidence reasonably relating to the hearing;

(5) Enter such order or determination as may be necessary to effectuate the purposes of sections 643.010 to 643.355. In making its orders and determinations hereunder, the commission shall exercise a sound discretion in weighing the equities involved and the advantages and disadvantages to the person involved and to those affected by air contaminants emitted by such person as set out in section 643.030. If any small business, as defined by section 643.020, requests information on what would constitute compliance with the requirements of sections 643.010 to 643.355 or any order or determination of the department or commission, the department shall respond with written criteria to inform the small business of the actions necessary for compliance. No enforcement action shall be undertaken by the department or commission until the small business has had a period of time, negotiated with the department, to achieve compliance;

(6) Cause to be instituted in a court of competent jurisdiction legal proceedings to compel compliance with any final order or determination entered by the commission or the director;

(7) Settle or compromise in its discretion, as it may deem advantageous to the state, any suit for recovery of any penalty or for compelling compliance with the provisions of any rule;

(8) Develop such facts and make such investigations as are consistent with the purposes of sections 643.010 to 643.355, and, in connection therewith, to enter or authorize any representative of the department to enter at all reasonable times and upon reasonable notice in or upon any private or public property for the purpose of inspecting or investigating any condition which the commission or director shall have probable cause to believe to be an air contaminant source or upon any private or public property having material information relevant to said air contaminant source. The results of any such investigation shall be reduced to writing, and a copy thereof shall be furnished to the owner or operator of the property. No person shall refuse entry or access, requested for purposes of inspection under this provision, to an authorized representative of the department who presents appropriate credentials, nor obstruct or hamper the representative in carrying out the inspection. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath, shall be issued by any judge having jurisdiction to any such representative for the purpose of enabling him to make such inspection;

(9) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise, with any educational institution, experiment station, or any board, department, or other agency of any political subdivision or state or the federal government;

(10) Classify and identify air contaminants; and

(11) Hold public hearings as required by sections 643.010 to 643.355.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

3. The commission shall have the following duties with respect to the prevention, abatement and control of air pollution:

(1) Prepare and develop a general comprehensive plan for the prevention, abatement and control of air pollution;

(2) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of sections 643.010 to 643.355;

(3) Encourage political subdivisions to handle air pollution problems within their respective jurisdictions to the extent possible and practicable and provide assistance to political subdivisions;

(4) Encourage and conduct studies, investigations and research;

(5) Collect and disseminate information and conduct education and training programs;

(6) Advise, consult and cooperate with other agencies of the state, political subdivisions, industries, other states and the federal government, and with interested persons or groups;

(7) Represent the state of Missouri in all matters pertaining to interstate air pollution including the negotiations of interstate compacts or agreements.

4. Nothing contained in sections 643.010 to 643.355 shall be deemed to grant to the commission or department any jurisdiction or authority with respect to air pollution existing solely within commercial and industrial plants, works, or shops or to affect any aspect of employer-employee relationships as to health and safety hazards.

5. Any information relating to secret processes or methods of manufacture or production discovered through any communication required under this section shall be kept confidential.

643.079. FEES, AMOUNT — DEPOSIT OF MONEYS, WHERE, SUBACCOUNT TO BE MAINTAINED — CIVIL ACTION FOR FAILURE TO REMIT FEES, EFFECT UPON PERMIT — AGENCIES, DETERMINATION OF FEES — FEE STRUCTURE REVISION. — 1. Any air contaminant source required to obtain a permit issued under sections 643.010 to 643.355 shall pay annually beginning April 1, 1993, a fee as provided herein. For the first year the fee shall be twenty-five dollars per ton of each regulated air contaminant emitted. Thereafter, the fee shall be set every three years by the

commission by rule and shall be at least twenty-five dollars per ton of regulated air contaminant emitted but not more than forty dollars per ton of regulated air contaminant emitted in the previous calendar year. If necessary, the commission may make annual adjustments to the fee by rule. The fee shall be set at an amount consistent with the need to fund the reasonable cost of administering sections 643.010 to 643.355, taking into account other moneys received pursuant to sections 643.010 to 643.355. For the purpose of determining the amount of air contaminant emissions on which the fees authorized under this section are assessed, a facility shall be considered one source ~~[under the definition of]~~ **as described in** subsection 2 of section 643.078, except that a facility with multiple operating permits shall pay the emission fees authorized under this section separately for air contaminants emitted under each individual permit.

2. A source which produces charcoal from wood shall pay an annual emission fee under this subsection in lieu of the fee established in subsection 1 of this section. The fee shall be based upon a maximum fee of twenty-five dollars per ton and applied upon each ton of regulated air contaminant emitted for the first four thousand tons of each contaminant emitted in the amount established by the commission pursuant to subsection 1 of this section, reduced according to the following schedule:

(1) For fees payable under this subsection in the years 1993 and 1994, the fee shall be reduced by one hundred percent;

(2) For fees payable under this subsection in the years 1995, 1996 and 1997, the fee shall be reduced by eighty percent;

(3) For fees payable under this subsection in the years 1998, 1999 and 2000, the fee shall be reduced by sixty percent.

3. The fees imposed in subsection 2 of this section shall not be imposed or collected after the year 2000 unless the general assembly reimposes the fee.

4. Each air contaminant source with a permit issued under sections 643.010 to 643.355 shall pay the fee for the first four thousand tons of each regulated air contaminant emitted each year but no air contaminant source shall pay fees on total emissions of regulated air contaminants in excess of twelve thousand tons in any calendar year. A permitted air contaminant source which emitted less than one ton of all regulated pollutants shall pay a fee equal to the amount per ton set by the commission. An air contaminant source which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140 may deduct such fees from any amount due under this section. The fees imposed in this section shall not be applied to carbon oxide emissions. The fees imposed in subsection 1 **of this section** and this subsection shall not be applied to sulfur dioxide emissions from any Phase I affected unit subject to the requirements of Title IV, Section 404, of the federal Clean Air Act, as amended, 42 U.S.C. Section 7651 [5] et seq., any sooner than January 1, 2000. The fees imposed on emissions from Phase I affected units shall be consistent with and shall not exceed the provisions of the federal Clean Air

Act, as amended, and the regulations promulgated thereunder. Any such fee on emissions from any Phase I affected unit shall be reduced by the amount of the service fee paid by that Phase I affected unit pursuant to subsection 8 of this section in that year. Any fees that may be imposed on Phase I sources shall follow the procedures set forth in subsection 1 **of this section** and this subsection and shall not be applied retroactively.

5. Moneys collected under this section shall be transmitted to the director of revenue for deposit in appropriate subaccounts of the natural resources protection fund created in section 640.220. A subaccount shall be maintained for fees paid by air contaminant sources which are required to be permitted under Title V of the federal Clean Air Act, as amended, 42 U.S.C. Section 7661 [;] et seq., and used, upon appropriation, to fund activities by the department to implement the operating permits program authorized by Title V of the federal Clean Air Act, as amended. Another subaccount shall be maintained for fees paid by air contaminant sources which are not required to be permitted under Title V of the federal Clean Air Act as amended, and used, upon appropriation, to fund other air pollution control program activities. Another subaccount shall be maintained for service fees paid under subsection 8 of this section by Phase I affected units which are subject to the requirements of Title IV, Section 404, of the federal Clean Air Act Amendments of 1990 (**42 U.S.C. Section 7651c**), as amended, [~~42 U.S.C. Section 7651,~~] and used, upon appropriation, to fund air pollution control program activities. The provisions of section 33.080 to the contrary notwithstanding, moneys in the fund shall not revert to general revenue at the end of each biennium. Interest earned by moneys in the subaccounts shall be retained in the subaccounts. The per-ton fees established under subsection 1 of this section may be adjusted annually, consistent with the need to fund the reasonable costs of the program, but shall not be less than twenty-five dollars per ton of regulated air contaminant nor more than forty dollars per ton of regulated air contaminant. The first adjustment shall apply to moneys payable on April 1, 1994, and shall be based upon the general price level for the twelve-month period ending on August thirty-first of the previous calendar year.

6. The department may initiate a civil action in circuit court against any air contaminant source which has not remitted the appropriate fees within thirty days. In any judgment against the source, the department shall be awarded interest at a rate determined pursuant to section 408.030 and reasonable attorney's fees. In any judgment against the department, the source shall be awarded reasonable attorney's fees.

7. The department shall not suspend or revoke a permit for an air contaminant source solely because the source has not submitted the fees pursuant to this section.

8. Any Phase I affected unit which is subject to the requirements of Title IV, Section 404, of the federal Clean Air Act **Amendments of 1990 (42 U.S.C. Section 7651c)**, as amended, [~~42 U.S.C. Section 7651,~~] shall pay annually beginning April 1, 1993, and terminating December 31, 1999, a service fee for the

previous calendar year as provided herein. For the first year, the service fee shall be twenty-five thousand dollars for each Phase I affected generating unit to help fund the administration of sections 643.010 to 643.355. Thereafter, the service fee shall be annually set by the commission by rule, following public hearing, based on an annual allocation prepared by the department showing the details of all costs and expenses upon which such fees are based consistent with the department's reasonable needs to administer and implement sections 643.010 to 643.355 and to fulfill its responsibilities with respect to Phase I affected units, but such service fee shall not exceed twenty-five thousand dollars per generating unit. Any such Phase I affected unit which is located on one or more contiguous tracts of land with any Phase II generating unit that pays fees under subsection 1 or subsection 2 of this section shall be exempt from paying service fees under this subsection. A "contiguous tract of land" shall be defined to mean adjacent land, excluding public roads, highways and railroads, which is under the control of or owned by the permit holder and operated as a single enterprise.

9. The department of natural resources shall determine the fees due pursuant to this section by the state of Missouri and its departments, agencies and institutions, including two- and four-year institutions of higher education. The director of the department of natural resources shall forward the various totals due to the joint committee on capital improvements and the directors of the individual departments, agencies and institutions. The departments, as part of the budget process, shall annually request by specific line item appropriation funds to pay said fees and capital funding for projects determined to significantly improve air quality. If the general assembly fails to appropriate funds for emissions fees as specifically requested, the departments, agencies and institutions shall pay said fees from other sources of revenue or funds available. The state of Missouri and its departments, agencies and institutions may receive assistance from the small business technical assistance program established pursuant to section 643.173.

10. **Each retail agricultural facility that uses, stores, or sells anhydrous ammonia that is an air contaminant source subject to the risk management plan under 42 U.S.C. Section 7412(r), as amended, shall pay an annual registration fee of two hundred dollars. In addition, each retail agricultural facility that uses, stores, or sells anhydrous ammonia shall pay an annual tonnage fee calculated on the number of tons of anhydrous ammonia sold. The initial retail tonnage fee shall be set at one dollar and twenty-five cents per ton of anhydrous ammonia used or sold. Each distributor or terminal agricultural facility that uses, stores, or sells anhydrous ammonia that is an air contaminant source subject to the risk management plan program 3 under 40 CFR Part 68 shall pay an annual registration fee of five thousand dollars and shall not pay a tonnage fee. The annual registration fees and tonnage fee may be periodically revised under subsection 11 of this section. However, the fees collected shall be used exclusively for the purposes of administering the**

provisions of 42 U.S.C. Section 7412(r), as amended, for such agricultural facilities. Fees paid by agricultural air contaminant sources that use, store, or sell anhydrous ammonia for the purposes of implementing the requirements of 42 U.S.C. Section 7412(r), as amended, shall be deposited into the anhydrous ammonia risk management plan subaccount within the natural resources protection fund created in section 643.245. If the funding exceeds the reasonable costs to administer the programs as set forth in this section, the department of natural resources shall reduce fees for all registrants if the fees derived exceed the reasonable cost of administering the risk management plan under 42 U.S.C. Section 7412(r), as amended.

11. Notwithstanding any statutory fee amounts or maximums to the contrary, the department of natural resources may conduct a comprehensive review and propose changes to the fee structure authorized by sections 643.073, 643.075, 643.079, 643.225, 643.228, 643.232, 643.237, and 643.242 after holding stakeholder meetings in order to solicit stakeholder input from each of the following groups: the asbestos industry, electric utilities, mineral and metallic mining and processing facilities, cement kiln representatives, and any other interested industrial or business entities or interested parties. The department shall submit a proposed fee structure with stakeholder agreement to the air conservation commission. The commission shall review such recommendations at the forthcoming regular or special meeting, but shall not vote on the fee structure until a subsequent meeting. If the commission approves, by vote of two-thirds majority or five of seven commissioners, the fee structure recommendations, the commission shall authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and after considering public comments, may authorize the department to file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the following calendar year and the previous fee structure shall expire upon the effective date of the commission-adopted fee structure. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the filing of such regulation, by concurrent resolution disapproves the regulation by concurrent resolution. If the general assembly so disapproves any regulation filed under this subsection, the commission shall continue to use the previous fee structure. The authority of the commission to further revise the fee structure as provided by this subsection shall expire on August 28, 2024.

643.245. NATURAL RESOURCES PROTECTION FUND — SUBACCOUNTS CREATED — PURPOSE — LAPSE INTO GENERAL REVENUE PROHIBITED — FUND DEPOSITED WHERE, BY STATE TREASURER, INTEREST CREDITED TO FUND. — 1. All moneys received pursuant to sections 643.225 to 643.245 and any other moneys so designated shall be placed in the state treasury and credited to the "Natural Resources Protection Fund - Air Pollution Asbestos Fee Subaccount", which is hereby created. Such moneys received pursuant to sections 643.225 to 643.245 shall, subject to appropriation, be used solely for the purpose of administering this chapter. Any unexpended balance in such fund at the end of any appropriation period shall not be transferred to the general revenue fund of the state treasury and shall be exempt from the provisions of section 33.080.

2. All moneys received under subsection 10 of section 643.079 and any other moneys so designated shall be placed in the "Natural Resources Protection Fund - Anhydrous Ammonia Risk Management Plan Subaccount", which is hereby created. Such moneys received under subsection 10 of section 643.079 shall, subject to appropriation, be used solely for the purpose of administering the provisions of section 643.079. Any unexpended balance in such fund at the end of any appropriation period shall not be transferred to the general revenue fund of the state treasury and shall be exempt from the provisions of section 33.080.

3. The state treasurer, with the approval of the board of fund commissioners, is authorized to deposit all of the moneys in any of the qualified state depositories. All such deposits shall be secured in such manner and shall be made upon such terms and conditions as are now and may hereafter be approved by law relative to state deposits. Any interest received on such deposits shall be credited to the natural resources protection fund - air pollution asbestos fee subaccount.

~~**[266.355. ANHYDROUS AMMONIA, RULES AND STANDARDS FOR EQUIPMENT AND HANDLING — DIRECTOR'S DUTIES — MINIMUM STANDARDS. — Unless provided for by federal law, rule or regulation, the director of the department of agriculture shall promulgate, pursuant to chapter 536, and enforce regulations setting forth minimum general standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck, tank trailer, tank car and utilizing anhydrous ammonia. The provisions of this section shall not apply to equipment which is in use for storing anhydrous ammonia as of August 28, 2010, and which is found by the department to be in substantial compliance with generally accepted standards of safety regarding life and property. The department shall adopt the minimum general safety standards for the storage and handling of anhydrous ammonia set forth in ANSI Standard K61.1-1999, Safety Requirements for the Storage and Handling of Anhydrous Ammonia; except that, ANSI Standard K61.1-1999 shall not be adopted by the department prior to**~~

~~December 1, 2012. For purposes of this section, "ANSI" means the American National Standards Institute.]~~

Approved October 5, 2022

SS SCS SB 3 & 5

AN ACT to repeal section 143.021, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof two new sections relating to income taxes, with an effective date for a certain section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION

- A. Enacting clause.
- 143.011 Resident individuals — tax rates — rate reductions, when.
- 143.021 Tax determined by rates in section 143.011 — no tax on taxable income, when.
- B. Effective date.

SECTION A. ENACTING CLAUSE. — Section 143.021, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, are repealed and two new sections enacted in lieu thereof, to be known as sections 143.011 and 143.021, to read as follows:

143.011. RESIDENT INDIVIDUALS — TAX RATES — RATE REDUCTIONS, WHEN. — 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

2. (1) [Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. No more than seven reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on

EXPLANATION--Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted in the law.
Matter in bold-face type is proposed language.

January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half percent, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

(5) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, there shall be no reduction under this subsection in the 2024 calendar year. However, such reductions shall continue after the 2024 calendar year for subsequent calendar years.

3. (1) In addition to the rate reductions under subsection 2 of this section, beginning with the 2019 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by four-tenths of one percent. Such reduction in the rate of tax shall take effect on January first of the 2019 calendar year.

(2) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

4. (1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the 2024 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by one-tenth of one percent.

(2) The modification of tax rates under this subsection shall apply only to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.] Notwithstanding the provisions of subsection 1 of this section to the contrary, beginning with the 2023 calendar year, the top rate of tax pursuant to subsection 1 of this section shall be four and ninety-five hundredths percent.

(2) The modification of tax rates made pursuant to this subsection shall apply only to tax years that begin on or after January 1, 2023.

(3) The director of the department of revenue shall, by rule, adjust the tax table provided in subsection 1 of this section to effectuate the provisions of this

subsection. The top remaining rate of tax shall apply to all income in excess of seven thousand dollars, as adjusted pursuant to subsection 5 of this section.

3. (1) In addition to the rate reduction under subsection 2 of this section, beginning with the 2024 calendar year, the top rate of tax under subsection 1 of this section may be reduced by fifteen hundredths of a percent. A reduction in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred seventy-five million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

4. (1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the calendar year immediately following the calendar year in which a reduction is made pursuant to subsection 3 of this section, the top rate of tax under subsection 1 of this section may be further reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. No more than three reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) (a) A reduction in the rate of tax shall only occur if:

a. The amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least two hundred million dollars; and

b. The amount of net general revenue collected in the previous fiscal year exceeds the amount of net general revenue collected in the fiscal year five years prior, adjusted annually by the percentage increase in inflation over the preceding five fiscal years.

(b) The amount of net general revenue collected required by subparagraph a of paragraph (a) of this subdivision in order to make a reduction pursuant to this subsection shall be adjusted annually by the percent increase in inflation beginning with the effective date of this section.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated

once the top rate of tax has been reduced below the rate applicable to such bracket, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

5. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.

6. As used in this section, the following terms mean:

- (1) "CPI", the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;
- (2) "CPI for the preceding calendar year", the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;
- (3) "Net general revenue collected", all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;
- (4) "Percent increase in inflation", the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.

143.021. TAX DETERMINED BY RATES IN SECTION 143.011 — NO TAX ON TAXABLE INCOME, WHEN. — 1. Every resident having a taxable income shall determine his or her tax from the rates provided in section 143.011. For all tax years beginning on or before December 31, 2022, there shall be no tax on a taxable income of less than one hundred dollars.

2. (1) Notwithstanding the provisions of subsection 1 of section 143.011 to the contrary, for all tax years beginning on or after January 1, 2023, there shall be no tax on taxable income of less than or equal to one thousand dollars, as adjusted pursuant to subsection 5 of section 143.011.

(2) The modifications made pursuant to this subsection shall only apply to tax years that begin on or after January 1, 2023.

(3) The director of the department of revenue shall, by rule, adjust the tax table provided in subsection 1 of section 143.011 to effectuate the provisions of this subsection.

SECTION B. EFFECTIVE DATE. — The repeal and reenactment of section 143.011 of this act shall become effective on January 1, 2023.

Approved October 5, 2022

SUBJECT INDEX

FOR

ONE HUNDRED FIRST

GENERAL ASSEMBLY,

SECOND REGULAR SESSION

(2022)

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**101ST GENERAL ASSEMBLY,
SECOND REGULAR SESSION**

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- HB 1725 Modifies provisions relating to lodging establishments

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- HB 1720 Modifies several provisions relating to agricultural economic opportunities (Vetoed)
HB 2168 Enacts provisions relating to insurance

MOTOR VEHICLES

- HB 2168 Enacts provisions relating to insurance
HB 2416 Modifies provisions relating to off-premise sales by motor vehicle dealers

NATIONAL GUARD

- HJR 116 Creates the Missouri Department of the National Guard

NATURAL RESOURCES, DEPARTMENT OF

- SCR 31 Approves the Missouri Water Resources Plan and its implementation
HB 2485 Modifies provisions relating to environmental regulation
HB 3006 Appropriates funds for the Department of Agriculture, the Department of Natural Resources and the Department of Conservation

NEWSPAPERS AND PUBLICATIONS

- SB 758 Modifies various provisions relating to bidding procedures for certain public projects for facilities

NURSES

- SB 710 Modifies provisions relating to health care

NURSING HOMES AND LONG-TERM CARE FACILITIES

- SB 710 Modifies provisions relating to health care
HB 2116 Modifies provisions relating to visitation right of patients
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PHARMACY

HB 2162 Modifies provisions relating to Opioid Addiction Treatment

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HB 2149 Modifies provisions relating to professional licensing

PHYSICIANS

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SB 655 Modifies provisions relating to Missouri Local Government Employees' Retirement System in order to provide for coverage of certain employee classes

SB 724 Modifies provisions relating to county financial statements (Vetoed)

SB 725 Modifies provisions relating to ground ambulance services

SB 758 Modifies various provisions relating to bidding procedures for certain public projects for facilities

SB 820 Modifies provisions relating to utilities

HB 1606 Modifies provisions relating to county officials

HB 1662 Enacts provisions relating to restrictions on real property

PROBATION AND PAROLE

SB 799 Modifies the offense of escaping from custody

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HB 2149 Modifies provisions relating to professional licensing

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SB 820 Modifies provisions relating to utilities

HB 1662 Enacts provisions relating to restrictions on real property

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SB 758 Modifies various provisions relating to bidding procedures for certain public projects for facilities

HB 1606 Modifies provisions relating to county officials

PUBLIC RECORDS, PUBLIC MEETINGS

HB 1662 Enacts provisions relating to restrictions on real property

PUBLIC SAFETY, DEPARTMENT OF

HB 3008 Appropriates funds for the Department of Public Safety

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- SB 745 Modifies provisions relating to utilities
SB 820 Modifies provisions relating to utilities

REDISTRICTING

- HB 2909 Establishes new congressional districts beginning with the election to the 118th Congress

RETIREMENT LOCAL GOVERNMENT

- SB 655 Modifies provisions relating to Missouri Local Government Employees' Retirement System in order to provide for coverage of certain employee classes

RETIREMENT SYSTEMS AND BENEFITS GENERAL

- SB 655 Modifies provisions relating to Missouri Local Government Employees' Retirement System in order to provide for coverage of certain employee classes

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- SB 724 Modifies provisions relating to county financial statements (Vetoed)
HB 2090 Modifies various provisions relating to the payment of funds from the state treasury (Vetoed)
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- HB 1738 Modifies provisions relating to state designations

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- HB 1606 Modifies provisions relating to county officials

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- HB 1878 Modifies provisions relating to elections

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- SB 775 Modifies provisions relating to judicial proceedings

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- SB 683 Modifies provisions relating to child care
SB 725 Modifies provisions relating to ground ambulance services
HB 3011 Appropriates funds for the Department of Social Services
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STATE DEPARTMENTS

- SB 758 Modifies various provisions relating to bidding procedures for certain public projects for facilities
HJR 116 Creates the Missouri Department of the National Guard

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- HB 2090 Modifies various provisions relating to the payment of funds from the state treasury (Vetoed)
HB 3005 Appropriates funds for the Office of Administration and other departments
HB 3014 Appropriates supplemental state funding

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- SB 745 Modifies provisions relating to utilities

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- HB 1720 Modifies several provisions relating to agricultural economic opportunities (Vetoed)

TAX CREDITS

- HB 1720 Modifies several provisions relating to agricultural economic opportunities (Vetoed)
HB 2090 Modifies various provisions relating to the payment of funds from the state treasury (Vetoed)
HB 2400 Modifies provisions relating to business entities

TAXATION AND REVENUE GENERAL

- HB 2400 Modifies provisions relating to business entities

TAXATION AND REVENUE INCOME

- HB 2400 Modifies provisions relating to business entities

TAXATION AND REVENUE PROPERTY

- HB 1606 Modifies provisions relating to county officials
HB 1662 Enacts provisions relating to restrictions on real property

TAXATION AND REVENUE SALES AND USE

- SB 652 Provides a sales tax exemption for the sale of 2026 FIFA World Cup tickets to matches held in Jackson County
SB 745 Modifies provisions relating to utilities
HB 2090 Modifies various provisions relating to the payment of funds from the state treasury (Vetoed)

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- SB 681 Modifies provisions relating to elementary and secondary education
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- SB 820 Modifies provisions relating to utilities
HB 2168 Enacts provisions relating to insurance

TRANSPORTATION

- SB 681 Modifies provisions relating to elementary and secondary education
HB 1738 Modifies provisions relating to state designations
HB 2168 Enacts provisions relating to insurance
HB 2416 Modifies provisions relating to off-premise sales by motor vehicle dealers

TRANSPORTATION, DEPARTMENT OF

- HB 1738 Modifies provisions relating to state designations
HB 3004 Appropriates funds for the Department of Revenue and the Department of Transportation

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- HB 1662 Enacts provisions relating to restrictions on real property

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- SB 745 Modifies provisions relating to utilities
SB 820 Modifies provisions relating to utilities
HB 2005 Modifies provisions relating to eminent domain for electrical corporations

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- SB 775 Modifies provisions relating to judicial proceedings

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- HB 2485 Modifies provisions relating to environmental regulation

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- HB 2485 Modifies provisions relating to environmental regulation

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- SCR 31 Approves the Missouri Water Resources Plan and its implementation
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GENERAL ASSEMBLY,

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(2022)

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**101ST GENERAL ASSEMBLY,
FIRST EXTRAORDINARY SESSION**

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HB 3 - Modifies various provisions governing agricultural economic opportunities

BOARDS, COMMISSIONS, COMMITTEES, AND COUNCILS

HB 3 - Modifies various provisions governing agricultural economic opportunities

ENERGY

HB 3 - Modifies various provisions governing agricultural economic opportunities

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SB 3 - Modifies provisions relating to income taxes

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HB 3 - Modifies various provisions governing agricultural economic opportunities
